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AUT. I.—*The Lives of Philip Howard Earl of Arundel, and of Anne Dacres his Wife. Edited from the original MSS. by the Duke of Norfolk, E.M.* London: Hurst and Blackett. 1857.

THE history of Catholicism in England is popularly regarded by Protestants as commencing with the reign of Elizabeth. Even we ourselves unwittingly encourage the fallacy. In the absorbing interest of the struggle which reached its consummation at that terrible time, we are apt to overlook the olden glories of the Church of the Anglo-saxon and Anglo-norman period; and, in our eyes, the most precious historical memorials of our religion, are those fragments, rare and imperfect as they unhappily are, which detail to us the few particulars of that conflict that have escaped the almost complete destruction of our annals for the last years of the sixteenth century.

The preservation of any remnant of Catholicity in England may almost be regarded as miraculous; and it is an observable feature of that preservation, that it should have been confined almost exclusively to the upper classes of society. England is the only Protestant country in which a Catholic gentry exists as a class, considerable in numbers, high in social position, and not altogether decayed in fortune. Prussia, it is true, by the annexation of Catholic provinces, has absorbed a numerous Catholic nobility; but the Silesian, or the Rhenish gentleman, is not more properly a Prussian, than is the Canadian, the Maltese, or the Ionian, an Englishman. We recollect *The Times* to have described England as "the first Mussulman power in the world;" but recent events have shown that, although England may be Mussulman, the Mussulmans are far from being English. Holland has never been without a large and influential population of Catholics, but, with a few very marked exceptions, they

are chiefly of the lower, or middle order; and although Ireland has ever been Catholic, her gentry of that faith have almost disappeared. And yet persecution was far more cruel, and far more effective in England than in any other country, not even excepting Ireland, until the period of the Revolution. In most countries other than England, the Reformation was in part a popular movement, though warmly countenanced and supported by authority, and wrought so vigorously that persecution soon spent itself for lack of matter. In some places the religious parties stood for supremacy in the field, and war, with its attendant horrors, but not precisely persecution, was the result. In some places, as in Holland, policy interposed for the protection of the weak, and the result was that stated by Sir William Temple. "The Roman Catholic religion," he says, speaking of Holland, "was alone excepted from the common protection of the laws; .....yet such was the care of the State, to give all men ease in this point, who ask no more than to serve God and to save their own souls, in their own way and forms, that what was not provided for by the Constitution of their Government, was so in a very great degree by the connivance of their officials, who, upon constant payments from every family, suffer the exercise of the Roman Catholic religion in their several jurisdictions as free and easy, though not so cheap and avowed as the rest. This, I suppose, has been the reason that, though those of that profession are very numerous in the country among the peasants, and considerable in the cities, and not admitted to any public charges, yet they seem to be a sound piece of the State, and fast jointed in with the rest." In Ireland, although the Church lost her property, though abbeys were dismantled as in England, though priests and monks were dispersed and hunted, though whole provinces were depopulated, and one province was colonised, though Cromwell celebrated a St. Bartholomew's whenever a garrison capitulated, though the Irish laws were as wicked as the English, yet nothing like the English persecution was known, until the English persecution was nearly over. Even while the Ulster plantation was in full progress, it was found impossible fully to execute the penal laws. In the year 1617 Bacon addressed the following advice to Sir William Jones, then lately appointed Chief Justice of the King's Bench in Ireland: "My last



direction, though first in weight, is, that you do all good endeavours to proceed instantly and resolutely, and *yet with all due temperance and equality* in matters of religion, lest Ireland civil become more dangerous than Ireland savage." And after the plantation Ireland had still strength sufficient to levy and keep afoot Catholic armies, officered by Catholic gentlemen, the lords of the soil; nor was it until after the unfortunate capitulation of Limerick that the Irish persecution really began—a persecution more horrible if possible than that of England.

But at the period with which the book before us is conversant, the state of things in England was different from anything to which we have alluded. There had, indeed, been a popular movement towards Protestantism, not very different from that which prevailed on the Continent and in Scotland; but that movement had no part in the production or propagation of the State Protestantism, in whose name and interest Catholics were persecuted. The national Protestantism was exclusively the work of the Crown. Its formularies and discipline were settled without reference to the popular movement, and with a manifest view to the Catholic instincts and traditions of the people. The framers of the articles of religion were not bold innovators or fiery disputants; they were simply intelligent workmen, as completely the servants of the crown as were the court tradespeople; and they fashioned the new religion according to the estimates and specifications. The system was literally "a mighty maze, but not without a plan." The workmen were instructed to make the new creeds as ambiguous as possible, and they did so effectually confuse the meaning, that now, after the lapse of three centuries, the Anglican confession of faith is understood, accepted, and subscribed to by many learned members of that communion as reconcilable with the creed of Pope Pius IV. There was never a more successful stroke of kingcraft than this. The Crown retained the exact proportion of Protestantism that was necessary to destroy the last element of independence in the English character, by subjecting the soul as well as the body of the people to the prerogative. On the other hand, by leaving the articles of religion open to a Catholic construction, it facilitated the entrance of the unwary, the unlearned, or the wavering amongst the Catholics into the new Establishment. There had been no political

life in the country since the accession of the Tudors, so that nothing was to be feared on that score. The people, it was calculated, would, from the mere force of habit, or under moderate pressure, resort to the old churches, where several of the externals of their faith had been retained. Those of the Catholics who could neither be deceived nor intimidated would then stand at the mercy of the Crown; while the many who though not to be deceived, might yet be intimidated, would tremble at the punishment of the steadfast. The genuine Protestants, on the other hand, the party of progress, those who detested the Prayer-Book as a spurious Missal, would be amused and excited by the persecution of the Catholics, so as not to give too much trouble for the time being.

The English persecution was therefore undertaken by Elizabeth and her advisers under the most favourable circumstances, *but it needed to be energetic.* The faithful Catholics, although scattered and unsupported, were numerous and resolute. No temporary, intermitting, or provisional persecution could dispose of them. A system was devised accordingly, perfect in its kind, harmonious in all its parts, not wearing itself out by its own friction, *but smooth, silent, and patient.* It applied torture to the senses, torture to the affections, torture to the conscience. It ambushed in your path, it sought you in bed and at board; it corrupted your servants, it bribed your children. The question, the knife, the cord, and the fine, were severally used with the most delicate judgment and careful regard to circumstances. Seduction was administered not less discreetly than torture. Nothing was done by caprice, nothing rashly or immaturity. Every day witnessed the application of some new test more searching than any previously invented, and backed by sharper penalties. The recusant had no protection, no sanctuary. The success of Elizabeth's experiment was perfect. The existence of a remnant of Catholics was a phenomenon, but it was one which the Crown had foreseen and provided against. Some Catholics might escape the axe, some few might save a portion of their fortunes, but none could escape the political and social extinction in which the penal laws were destined to involve them.

In the latter years of the reign of Elizabeth, Catholic England was in fact as much a conquered country as Rome in the hands of Attila. The old and proud nobility that was

little disposed to take either law or religion from the Crown, had been reduced to utter prostration by the wars of the Roses and the axe of the Tudors; the Commons were prepared to do the bidding of the Crown in all humbleness and duty; and the people, after one or two tumultuous risings, soon ceased to offer resistance through want of leaders, spiritual or temporal. But, as we have said, a large proportion of the gentry continued Catholic; and against these the penal code was executed without mercy or intermission. Many a devoted confessor, now unknown even by name, preserved the faith almost by miracle, through that dark and bloody time; and every scrap of information regarding it, is doubly valuable from the obscurity in which for the most part it is hidden. Strongly impressed with these feelings, the Duke of Norfolk has given to the public a most interesting glimpse of this imperfectly understood period, by editing from an original MS. preserved among the family papers, a life of his ancestor, the unfortunate Earl of Arundel, who died in the tower while under sentence for high treason, and of the countess his wife. The author of this interesting biography, whose name is not given, states himself to be a Jesuit, and was probably chaplain to the countess.

Now, with the strong sense which we habitually entertain of the great value of all such contributions to our historical literature, we must confess to a feeling of deep disappointment at finding, in a literary journal such as the *Athenæum*, which especially cultivates the department of history, a notice of the Duke of Norfolk's book, which, for ungenerous bigotry and petty malignity, might bear a comparison with the most flippant and ribald criticisms of the *Times*. It is hard to say whether his Grace is more severely dealt with on the score of commission or of omission. The reviewer would seem to have a general grudge against the house of Norfolk, and a particular spite against the present Duke, of whom he speaks with a sneering virulence, for which it is difficult to assign any other than some personal motive. Nothing could be less pretentious than the manner in which the noble editor introduces the history of his ancestor; and the spirit of his critic will best be estimated from the fact that this very modesty is made a special ground of animadversion. Nay, the reviewer has the bad taste to call the Duke to account for the suppression of one or two details,

the tendency of which was somewhat exceptionable, and which it could serve no good purpose of the history to preserve.

In truth the Duke has done nothing more than make *publici juris*, a curious chapter of English history, which had been until now his own private property. And it would be difficult to find a more striking example of the spirit in which the efforts of Catholics to contribute their share to the common stock of materials for English history, are met by a certain portion at least of the Protestant public, than the tone which pervades the paltry criticism to which we are alluding. For such critics it seems to be enough that a book emanates from a Catholic source, in order to ensure its condemnation.

In the present case, for example, the writer has not even been at the pains to read the book which he thus flippantly condemns. Thus it is plain, from the very first pages of the biography, that, as we have already stated, it is the work of an avowed Jesuit, who, admiring the illustrious sufferer whose life he has written, and sympathising with him in his misfortunes, gives free expression to his admiration and his sympathy. Now our Reviewer most cleverly *ventures a guess* that the author is a Jesuit; whereas, had he only thought proper to read the little book through, he might have learned that there is a plain statement of the fact.

The same spirit is still more observable in his strictures upon the character and conduct of the subject of the biography. It is quite intelligible, we allow, that the writer in the *Athenæum* should not see the life, conversion, and sufferings of Philip Howard in the same light as his Jesuit biographer. When the biographer, for instance, ascribes the moral improvement of the Earl of Arundel to his adoption of the Catholic faith, it is a perfectly fair and legitimate course for a reviewer to suggest that disappointed ambition was the cause both of his conversion and reformation. But what we complain of is that he cannot see *any* part of the Earl's conduct in a favourable or even a tolerant spirit. Every one of his strictures without exception savours of sectarian and political animosity; and not content with venting his malignity on the Earl himself, he visits the entire house of Norfolk with the same rancour, and rakes up or exaggerates every weakness or prevarication of its members, which his superficial reading could suggest, or his industrious malignity could discover.

¶ We shall not enter into the subject, however, farther than to protest, in the interest of our common literature, against this petty intolerance.

Looking at the Life of Philip Howard in any light, no fair minded reader can regard it as other than an interesting and contemporaneous history of an eventful period; and we are happy to say that it has generally been recognized as such by the press at large. When Philip Howard, Earl of Arundel, was reconciled to the Church, a persecution the most savage and protracted upon record reigned in England. An arbitrary sovereign had more than half imposed a new religion upon her reluctant people. The Roman faith had been exterminated from whole districts by foreign mercenaries, or starved out by the banishment of the clergy. Retrospective statutes of the severest character applied their tests and penalties not only to the candidates for office or honour, but to those who had already graduated. Every session added to the number and cruelty of the penal laws. Ancient houses were being gradually beggared by the fines for non-attendance on the Protestant worship, or saved themselves from extinction by an outward conformity, which in the next generation became real. The prisons were choked with recusants, the rack was overwrought, the hangman had no holiday. The English constitution existed only in name, and parliament was a mere registry office for the decrees of the Crown. It was the reign of arbitrary power, monopolies, the Star Chamber, and the Ecclesiastical Commission. The ancient nobility of England was fast disappearing, and out of the house of Norfolk alone, the three immediate ancestors of Philip Howard had died upon the block, when that nobleman embraced the Roman faith. He was born himself in the reign of Mary, and received in baptism the name of her consort Philip. Educated a Protestant during the reign of Elizabeth, he married into the house of Dacres of the North; but the smiles of the Queen, who at first visited him with her treacherous favours, and the atmosphere of the most immoral court in Europe, corrupted his virtue and estranged him from his wife. It was not until his fortunes began to ebb, and until he had actually been before the Privy Council, and been kept a prisoner in his own house, that his faith and morals changed alike, and that he became at once a Catholic and a husband. His change of faith was not

declared, but his change of life was evident. The Queen suspected the first, and her detestation of married ladies made her dangerously observant of the second. The enemies of the House of Howard were all taken into favour, the earl was flouted and frowned upon whenever opportunity served, and a few easy formalities alone were requisite to consign him to the scaffold. In order to bring upon him this, almost the normal fate of every faithful Catholic, nothing more would be requisite than a detected visit from one of those missionary priests who spent their days with rats behind the wainscot of their protector's rooms, stole out at night to administer the sacraments, and lived with the certainty of having the hands of the hangman at no distant hour "grabbling in their bowels." Being thus at the mercy of his servants and their confidants, the Earl determined to withdraw to France or Spain, where he might practise his religion in security; but, before doing so, he composed a letter for the Queen, in which, after recapitulating his early history, his examination before the Privy Council, when his change of religion first came to be suspected, and his subsequent enlargement, he drew a simple and unembellished, but touching description of the fate that had overtaken his three immediate ancestors, and which in some sense was so soon to overtake himself.

The Earl then proceeded to state his determination of retiring to some country where he might practice his religion, and it is matter of regret that his excuses to the Queen for doing so, should have been in the adulatory style which was the characteristic of the age. This letter, which appears to us to evince great ability and decision of character, was intended to be delivered as soon as the Earl should be out of reach, but that period never came. He was arrested through the treachery of the captain of the boat which was to have taken him across the water, and promptly conveyed to the Tower; and from this time to his death he exhibits a picture of heroic virtue worthy of the crown of martyrdom. He soon went through the usual process of examination. He was allowed the service of a priest, a fellow-prisoner, doubtless with a view of manufacturing evidence to convict him of high treason, which was accordingly the result. We regret that our space will not suffer us to enter into the truly characteristic details of



his procedure. During his stay in the Tower, the Earl, it is needless to say, was treated with unnecessary harshness; and the account given by his biographer establishes, that nothing could be more edifying than his life and conversation up to the period of his death, which was allowed to come in course of nature and not of law, through the policy or caprice of the Queen.

The following account of the Earl's sufferings during the ten years imprisonment, which terminated with his life, is very striking. The quaint narrative discloses in Lord Arundel's persecutors the same petty malignity, the same spiteful cruelty, the same vulgar tyranny, that found their embodiment three centuries later in the person of Sir Hudson Lowe. We notice in the treatment of the Earl the same closeness of restraint, the same jealousy of any token of respect from an inferior, and the same indirect methods of insult and oppression that harassed the prisoner of St. Helena.

"As his imprisonment was no less long and tedious than even now I signify'd in the precedent chapter, so it was also for the most part of that time very strict. For besides the Lieutenant of the tower who had charge over him, there was even some gentleman of good sort specially appointed by the *Queen* to be his keeper; by whom he was so narrowly looked to, that for several years he could not speak with any person whatsoever but in his presence and hearing. During ye first 13 months after his committment, that is, from April 1585 till the end of May 1586, he had no servants of his own to attend upon him, and never came out of his chamber to walk in any other room or take the air a little in the garden, but either his Keeper or the Lieutenant, or both of them, were ever with him. After that time he was permitted to have sometimes one sometimes two of his own servants to be with him, but with such condition that after their entrance there they remained as prisoners, and neither could depart thence without leave of the council, nor so much as walk into the garden, or into any other room besides their lord's lodgings, but at such times and with such persons as it pleased the keeper to appoint, and all the rest of the night and day they were locked up and could not speak with any body living. In which respect, as also by reason of the uncomfortableness of the room where they and their lord was locked up, as having no light of the sun for the greatest part of the year, together with the noisomeness thereof caused by a vault that was near or under it, which at sometimes did smell so ill that the keeper could scarce endure to enter into it, much less to stay there. For these respects I say there was none of his servants but were long weary of being



with him there before they could obtain license of being dismissed, and some of them were kept there untill through weakness and indisposition caused by being kept so close, they were not able to do him almost any service, at least not such as his necessities did require, he being very often troubled with diverse sickness and diseases which were occasioned for the most part by his so great restraint and strict imprisonment, as some learned physitions who best knew the state of his body did affirm.

"But neither were his infirmities and indisposition, tho' many and great, nor his imprisonment, tho' long and strict, so grievous and troublesome unto him, as some other things he there endured. At first, the hard and harsh dealing of the Lieutenant, who, as I have heard both from his lady and others, did all he could to afflict and vex him. The Earl himself, in a letter which he wrote to a certain friend of his, something more than a year before his death, did signify it in this manner, 'His injustice (to wit the Lieutenant) to me both by himself and his trusty Roger are intollerable, infinite, dayly multiplied, and to those who know them not incredible; and the most that you can imagine will be far inferior I think to the truth when you shall hear it.' Secondly, the bad disposition of some of his keepers, who, besides their strictness towards him, went about to entrap him, had he not been very wary and circumspect, and did sometimes report things of him which were not only wholly fals, but might have been and perhaps were of great prejudice unto him. As that he never spoke one good word of the *Queen*, when as on all occasions he spoke with great respect of her, and protested many times in their presence and hearing that he was always ready to do any lawfull thing that lay in his power to do her service and give her contentment. One of these his keepers who made great show of friendship unto him, would often take occasion to ask him what he would do if the *Pope* should excommunicate the *Queen* or make any war against her; and if he was silent therein or passed it away by talking of other matters without answering directly to those questions, yet professing all loyalty and duty to the *Queen*, most commonly he would send his man next day with letters to the court, as the *Earl* himself did observe, who tho' he could not directly judge, yet he could not \* \* \*

"Besides the injuries received from his keepers and the *Lieutenant* of the *Tower*, the ingratitude and treachery of some who had been his servants in former times, and had received great benefits from him, together with the unkind dealing of some who were very near in blood unto him, was no smal occasion of affliction to his mind. For, whereas, the *Duke*, his father, had made such a kind of conveyance of the greatest part of his estate, that it could not be forfeited by attainder, as *de facto* it was not by his own, but came all safely to the Earl his son, some who knew the particulars of his estate better than others, as having been employed in his affairs, did not only upon his attainder, treacherously discover

all they could to his detriment, but moreover prosecuted the Suit in the *Queen's* behalf in such manner against him, that a good part of his lands was thereby lost, which otherwise had been saved. His own brother, also, the Lord *Thomas Howard*, made means unto the *Queen*, immediately upon his attainder, for the obtaining to his own use and behoof, of divers lordships belonging unto him, the which, some others who were strangers unto him (as in particular Sir Christopher Hatton) out of friendship and honourable respect, would not accept of when they were offered unto them by the *Queen* herself, without any motion at all from themselves. \* \* \*

"To move the *Queen* moreover, against him, and make him be abridged of the little liberty which, after much suit he had obtained of the Council to go out of his own lodgings in the company of his keeper to walk sometimes a little—a certain Gallery within the *Tower*, they informed her that many caps, and knees, and court-sies, were made unto him when he stood in the gallery window ; which was so wholly false, as he protested in a letter to the Lord Chancellor, that he neither ever saluted any one, nor any one made the least show towards him in that place ; but that it was true that walking one day in the garden with his keeper, one from the leads of the Salt-tower, saluted him with a very low reverence. Whereat he marvelled and desired his keeper to talk with him who had the custody of that *Tower*, and to charge him that he might no more be so abused. Yet, four or five days after, the same man, in the same place, not content with an ordinary salutation or reverence, bowed himself so low that his head was within a foot of the ground, and then, lifting up his hands, he remained in that posture, looking in the *Earl's* and his keeper's face, whilst they walked the whole length of the alley. The which they seeing, and being troubled thereat, to avoid it they presently went into the other part of the garden. But, immediately, the man removed himself also to the other side of the leads which was nearest to the place where they were, and there used the same ceremonies as before, which made the *Earl* think that either the man was mad, or set there of purpose to mock him, or for a ground to raise that report which was made to the *Queen* of his being saluted with caps and court-sies, for the hindering the little liberty he had obtained of the Council."—pp. 66-76.

Nothing could be more natural than to suppose that his death was greatly accelerated if not absolutely caused by his rigorous confinement ; but the first alarming symptom of disease was so sudden as to provoke a suspicion (not groundless perhaps) of poison. He was attacked by vomiting and dysentery one day in the month of August, immediately after dinner, and continued to sink gradually until the 19th of October in the same year, when he

tranquilly expired, after enduring the most merciless of all privations; for although he had been allowed the ministrations of a priest when it was thought that such an indulgence would furnish evidence against him upon his trial, the conscience of authority was too tender to admit of such a consolation for his death-bed. The author of his life describes an interview between the Earl and the Lieutenant of the Tower, which he states to have taken place the day before the death of the former. The Lieutenant, seeing that his prisoner had only a few hours to live, and possibly feeling some compunction for the treatment to which a sufferer so noble and so meek had been subjected, was desirous to have the Earl's forgiveness in his last moments, and accordingly sought the interview in question. We extract a passage containing the interview, and also an account of an offer made by Elizabeth to the Earl, his refusal of which, and the style in which it was made, amount to nothing short of heroism.

"The Queen had made a kind of promise to some of his friends in his behalf, that before his death his wife and children should come unto him. Whereupon, conceiving that now his time in this world could not be long, he writ humble letters both to her and some of the Council, petitioning the performance of that supposed promise. The Lieutenant of the *Tower* carried his letters, and delivered them with his own hands to the *Queen*, and brought him this answer from her by word of mouth: That if he would but once go to their Church, his request should not only be granted, but he should moreover be restored to his honour and estates, with as much favour as she could shew. Which message being delivered, he gave thanks to ye Lieutenant for his pains, and said, He could not accept her Maties offers upon that condition, adding withall, that he was sorry he had but one life to lose for that cause. A very worthy gentleman who was present at this passage, has often aver'd it to be true. And I do yet more easily believe it, in regard, the Lord *Buckhurst*, afterward Earl of *Dorset*, who was then of the Queen's Council, and in great respect, told the same in substance to his son-in-law, the Lord *Antony* Viscount *Montague*, from whose mouth I hear'd it, greatly condemning the good Earl of much want of wisdom and discretion, for not accepting so great and gracious a favour as he esteemed that offer to have been.

"Not long after he grew so faint and weak, decaying by degrees, that he was not able to rise from his bed. Whereupon, by the advice of his physicians, he gave over the saying of his Breviary

and the reading of other books, betaking himself only to his beads, and some other devotions whereto by vow he had obliged himself; and these he never omitted till the very last day of his life, having his beads almost alwayes with him in his bed. His physicians, coming to visit him some few dayes before his departure, he desired them not to trouble themselves now any more, his case being beyond their skill, and he having then some business, meaning his devotions, which he desired, but feared he should not have time sufficient to despatch. And they, thereupon departing, *Sir Michael Blount*, then Lieutenant of ye *Tower*, who had been ever very hard and harsh unto him, took occasion to come and visit him, and kneeling down by his bedside in humble manner, desired his Lordship to forgive him. Whereto the *Earl* answered in this manner: Do you ask forgiveness, Mr. Lieutenant? Why then I forgive you in the same sort as I desire for myself to be forgiven at the hands of *God*. And then, kissing his hand, offered it in most charitable and kind manner to him, and holding him fast by the hand, said: I pray you also to forgive me whatever I have said or done in anything offensive to you. And he, melting into tears and answering that, he forgave him with all his heart, the *Earl* raised himself a little upon his pillow, and casting his eyes towards the Lieutenant, made a brief and grave speech unto him in this manner: Mr. Lieutenant, you have showed both me and my men very hard measure. Wherein, my Lord, quoth he? Nay, said the *Earl*, I will not make a recapitulation of anything, for it is all freely forgiven. Only I am to say unto you a few words of my last Will, which being observed, may, by the grace of *God*, turn much to your benefit and reputation. I speak not for myself, for *God* of His goodness has taken order that I shall be delivered very shortly out of your charge: only for others I speak who may be committed to this place. You must think, Mr. Lieutenant, that when a prisoner comes hither to this tower that he bringeth sorrow with him. Oh, then do not add affliction to affliction. There is no man whatsoever that thinketh himself to stand surest, but may fall. It is a very inhuman part to tread on him whom misfortune hath cast down. The man that is void of mercy *God* hath in great detestation. Your commission is only to keep with safety, not to kill with severity. Remember, good Mr. Lieutenant yt *God*, who, with his finger, turneth the unstable wheel of this variable world, can in the revolution of a few days, bring you to be a prisoner also, and to be kept in the same place where now you keep others. There is no calamity that men are subject unto but you may also taste as well as any other man. Farewell, Mr. Lieutenant; for the time of my small abode, come to me whenever you please, and you shall be heartily wellcome as my friend. The Lieutenant then humbly took his leave and went out of the chamber weeping, though then perhaps little thinking yt the *Earl's* words, or rather prophecy, would so soon have been fulfill'd in him; for within seven weeks after the *Earl's* death, he fell

into great disgrace, lost his office, and was indeed committed and kept close prisoner in the *Tower* where he had kept others, and another Lieutenant placed who carry'd as hard a hand over him as he had done over others."—pp. 114-119.

As we hope and believe that this work is in the hands of most of our readers, we the less regret that our space will not allow us to make any extracts from the life of the Countess of Arundel, also a Convert, who survived her husband many years. To her the author felt peculiar gratitude, as the foundress of the House of the Society in Ghent, and he enters into the minutest details of her life and household economy. We can hardly realize at the present day, the nature and the cost of a conversion or reconciliation to the Church in the days of Elizabeth. We have been witnesses, within the last few years, of many conversions from Anglicanism which have rightly been accounted splendid triumphs of grace. When a dignitary of the Establishment resigns his elegant and tranquil independence, and leaves, not without some natural tears, that beautiful home of his, so fresh, so fair, so modestly luxurious, so dear to memory and so full of hope, the sacrifice is great indeed, and difficult to be understood; but at least the convert has some kind friends to meet him in the Church, not distraught with hourly fears for their own safety, and who are able to attend to the wants and weaknesses of their new brother. There is no suspicion of treason in his becoming associated to their body, and he can at least enjoy in security, the consolations of that religion for which he has exchanged nearly all that is valued by men. This was not the case with Philip Howard and Anne Dacres. What they did, was done at the peril of fortune and life. The prizes attached to conformity were as splendid as the penalties which followed recusancy were terrible. But they were alike disregarded by the converts of those days. Never were happiness and sorrow more strongly blended than in the lot of Anne Dacres. Originally despised and neglected by her husband, she first began to feel a husband's tenderness, when persecution and death were on his track. Both her children were born during the Earl's imprisonment, and every happiness she knew as wife or mother, was associated with some corresponding sorrow. Ours, thank God, are different times; but it is profitable for us to see, in this book, how the faith was preserved amongst us; it may be profitable for others to see how their

religion was propagated; it will be profitable to the student of history to learn how little the popular tales that usurp the name are entitled to it; and, finally, it will be profitable for the enlightened and liberal in every variety of Protestantism, to compare the spirit which prevails amongst the majority of Protestants to-day, with that which directed the councils of Elizabeth, and to ascertain by the comparison, whether freedom of conscience, though secured by law, is strong in their allegiance. We have only to add that the execution is in the highest degree creditable to Messrs. Hurst and Blackett.

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ART. II.—*Anomalies in the English Church no just Ground for Seceding; or the abnormal condition of the Church.* By Henry Arthur Woodgate, B.D., Honorary Canon of Worcester, Rector of Belbroughton, late Fellow and Tutor of St. John's College, Oxford. Oxford: Parker. 1857.

THE perusal of this little book has caused us considerable disappointment. It may seem that Catholics have little reason to adopt the exclamation of the man of God, "Oh that mine enemy would write a book;" for indeed we have books enough and to spare from the hands of our enemies. But certainly no one more than the Catholic has need to cry, "Oh that mine enemy would write a fair and reasonable book,"—a book which will deal argumentatively and logically with the claims of the Catholic Church, a book written by one of competent learning who has been at the pains to ascertain what her doctrines and principles really are, who has acquainted himself with the arguments which have been urged in their support, and has shown himself ready to meet them in a fair and candid spirit. A sad experience has taught us not to expect very much from the Anglican clergy, yet we must plead guilty to the weakness, for such the event has proved it to be, of anticipating in Mr. Woodgate an antagonist who would combine many, if not all, of the qualifications which we have described. This gentleman, we believe, had in Oxford the reputation of good scholarship;



he was even at that period what is called a high-churchman. Dr. Newman was his early friend; and his sympathies were altogether on the side of "The Tracts for the Times." We confess then that we opened this little book with the hope of finding something like a fair and intelligent disputant: one who would state the matters of our controversy as they really are, and would deal with them in a candid and logical method. We are compelled to say that in this expectation we have been woefully and entirely disappointed. We need scarcely say indeed that Mr. Woodgate does not deal in that coarseness which so distressingly characterises many of our adversaries; he is far however from abstaining from even very offensive terms, while, in ignorance of what the Catholic Church is and does, in illogical conclusions, in want of fairness and candour, in unsupported accusations, and in absurdities absolutely ludicrous, he is scarcely surpassed by the rabid bigotry of Exeter Hall. These are severe words; we shall now proceed to shew on what grounds we have ventured to use them.

Mr. Woodgate begins his work with a preface entitled, "On Secessions to Romanism." This consists partly in an attempt to account for these secessions, and partly in the usual reflections upon the "deterioration" of those who have seceded. On the former of these points he says,

"There can be no question that if the English Church had been enabled to act up to her own principles, as set forth in her authorized formularies, and as she in a great measure did until overrun by the corruptions of the eighteenth century, many of those who have joined the Roman communion would have had little temptation to do so. But when they were told, even by bishops, that the distinctive doctrines and features of the English Church did not really belong to her, and that to hold and profess them was inconsistent with their allegiance to her, it was not unnatural that those who mistook the unauthorized opinions of individuals for the voice of the Church, should be led to feel that the Church of their baptism was no longer a home for them."—p. xvi.

Does Mr. Woodgate really mean what he says? We challenge him to produce an instance of the folly which he here describes. That many of the converts were ready to carry, even to excess, their dutiful attention to the voice of their superiors we readily admit; but that any one was so very ill instructed and so weak as "to mistake the unauthorized opinions of individuals for the voice of the



Church," we must wholly disbelieve until the wonderful creature is actually designated by name.

It will be observed that Mr. Woodgate employs the terms "Church of their baptism." We had really thought that this puerile and schismatical phraseology had been abolished from the pages of respectable controversy. It was broached, we believe, sometime about the time of the Gorham case, and received such a castigation in the pages of the *Dublin Review*, that we really thought it to be dead and gone. Does Mr. Woodgate need to be told that the Catholic Church believes in ONE Baptism, which baptism is not into "the Church of England," nor into any other sect, but into the one Holy Catholic Church? A heretic, a Jew, or a pagan may validly administer the Sacrament of Baptism, if the conditions of the Church are complied with. Hence the Catholic Church never administers this sacrament to any of those converts of whom she can be assured that they have received such baptism; and where it is doubtful whether the needful conditions have been complied with, she administers it conditionally. Hence then it is obvious that she regards all the baptised as rightfully amongst her children. They may be prodigal children, from various causes wandering from her fold; but still they are hers; and the only "Church of their baptism," is the One Catholic Church.

Mr. Woodgate however, with this notion in his head, proceeds in the following strain:

"I trust that in warning others, I am guilty of no breach of charity in adverting, in corroboration of this, to circumstances which have characterized many of these individuals since their departure. Several persons who have been brought in contact with them, have had occasion to remark a singular intellectual declension in them since their secession, especially in those points where the intellectual powers are affected by the moral tone. But a sadder spectacle, and one which suggests a mournful train of thought, is the moral and spiritual declension which shews itself in the mode and tone in which they speak of the communion they have left, and in which many of them have exercised spiritual functions. One would have thought that the society in which a man had been born, in which he first drew his spiritual life, and in which even if he repudiated the latter, he was nurtured and brought up, which did not beguile him from any other communion, but in which his lot had been cast by God Himself, would, even if afterwards found or presumed to be in error, have had claims on some kind of filial feeling, and to be remembered, though with sorrow, yet with respect, if not with

reverence. In our relations after the flesh, a man who had been brought up by one whom he had always been taught to regard as his mother, and who had performed, as far as lay in her power, a mother's part to him, would regard her through life with a certain feeling of filial reverence and affection, even should he have subsequently discovered that she was not his natural parent : the foster-child will love and respect the foster mother. It is said, too, that those who, like Romulus and Remus, have been suckled by animals, retain an affection for their rude foster-parents. What are we to think of men and women (for it is not confined to the former) who can speak in the disparaging, contemptuous, and bitter tone in which these persons speak of the Church which they had been taught from their earliest years to regard as their spiritual mother ?

"Nor less painful is the utter indifference with which they seem to regard the fact of having long exercised ministerial functions in the English Church. Every Catholic, Roman or other, who believes in the Apostolic succession of the Christian Ministry, must believe that one who takes upon himself to minister the Word and Sacraments, without being lawfully 'chosen and called to this work by men who have public authority given unto them so to call and send,' is doing that which, viewed abstractedly, would be deemed a great sin. Even Wesley told his followers that if ever they presumed to administer the Sacrament of Christ's Body and Blood, they would be guilty of the sin of Korah :—a sin, be it observed, which is in Scripture placed before Idolatry, and when cited as a standard of wickedness, is associated with the sin of Cain and that of Balaam. The assertion of this principle is perfectly compatible with the most unbounded charity, and the most indulgent allowance for those who, having been born and educated in an erroneous system, have been led into this act through ignorance, not of their own creation, and consequently so far irresponsible. And, doubtless, every one who, having thus ministered in the English Church, afterwards deems her to be no Church, or heretical, would derive allowable comfort, in looking back on his past ministrations, in the thought that he literally 'did it ignorantly in unbelief.'

"But our hope of forgiveness for an involuntary sin is one thing; the feeling with which we regard the mere fact that we committed it is another. A pure and single mind does not test its acts by the intention, nor weigh the responsibility by the motive. In morals, a pure minded woman who had been unknowingly living in a state which, if known, had been one of sin, would not feel relieved in mind by the mere thought that she did it in ignorance, and would henceforth do so no more. It is not thus that the instinctive delicacy of a pure mind reasons ; its feelings are not capable of being reduced to rule and measured thus. And in the analogous case (for the analogy is a Scriptural one) of tampering with the purity of Christ's Church, one who had been led into such acts, however ignorantly, would not quiet the instinctive remorse to which the

most innocent are liable, by the thought that he was unconscious of it at the time, and would not for the future do it again.

"Others, again, have observed with pain the secular spirit which has shown itself in the dress, habits and amusements of some of those seceders who have not been re-ordained."—pp. xviii-xxi.

The charge of "intellectual declension" we consider so ridiculously absurd that we scarcely know how to deal gravely with it. What mysterious power does the Church of Rome possess so to affect the intellectual powers of man? Does Mr. Woodgate really mean to say not only that all her members are persons of weak intellect, but that they also possess the power of inoculating new comers with their own feebleness? We may safely leave the charge, from its very absurdity, to refute itself.

But Mr. Woodgate goes on to grieve over the moral declension of the converts, and he especially complains that they are not more ashamed of themselves for having, although in ignorance, taken upon themselves to minister the Sacraments. But cannot Mr. Woodgate see that he here takes for granted the very point which his opponents deny? If "the Church of England" is "a branch of the Catholic Church," we admit the justice of Mr. Woodgate's complaint; but this is the very proposition which the converts, by their "secession," emphatically deny. Since Mr. Woodgate has passed creditably through the schools at Oxford, we are curious to know what he will say to his complaint when put in a logical form.

1. A man who has unadvisedly, without just authority, taken upon himself to minister in the Church, ought to feel keenly for his error when he discovers it.

2. The converts have so ministered.

3. Therefore they ought to feel keenly, &c.

Cannot Mr. Woodgate see that while his major is undeniable, his minor is the disputed point? If the converts had thought "the Church of England" to be a true "branch," they never would have left it. Their own act speaks far more strongly than words can do as to that conviction. While in the Anglican establishment they did not minister in holy things; they handled only bread and wine, not the mysterious realities of the Christian altar. Mr. Woodgate's censures ought to be reserved for his reverend brethren Achilli and Gavazzi, who we suppose

do not deny that while in the "Roman Communion" they ministered as true priests of the Church.

Mr. Woodgate's illustrations proceed on the same false premises. He speaks of "the foster mother," forgetting that those whom he rebukes must regard this lady in a very different light. They must think of her as a strange woman who has usurped their own dear mother's place; who by various machinations had driven that loving mother from her home, and who had fed them on husks in the place of "the True Bread from heaven." We do not say indeed that all the converts are free from guilt in not having sooner left "the strange woman" for their true mother, who was ever lovingly stretching forth her hands to embrace them. We do not know that Mr. Woodgate has any right to say that they do not all feel their fault with more or less intensity; but we cannot discover any claim which this "strange woman" has on their special tenderness; nor, to refer to Mr. Woodgate's other illustration, can we imagine that "a pure minded woman" would feel any great regard for the man who, unknown to herself, had beguiled her into such a position. As to "tampering with the purity of Christ's Church," Mr. Woodgate is again begging the question. No clerical convert can think that he has done any such thing. Whatever he may have done, he has been heretofore conversant, not with ~~Christ's~~ Church, but only with that which pretended to be so, but is not.

With regard to this charge of "moral defect," so frequently brought against the converts, we must say that it seems to us to indicate that very spirit of pharisaism which is so pointedly condemned in the gospel.—"These men after all are but sinners." By what right do Mr. Woodgate and his friends bring these charges? By what right do they take upon themselves the prerogative of God, and decide upon this or that man's measure of holiness or sinfulness? And what is the evidence appealed to in support of this charge of "deterioration?" It is that "the secular spirit" of those, be it remembered, who have discovered that they have no right to be accounted more than seculars, "has shewn itself in the dress, habits, and amusements" of some of the seceders. Poor Mr. Woodgate's tender heart has been saddened because some of those whom he once accounted clerical brethren no longer wear white chokers, and are sometimes seen in the ball-room or

at the card table. We do not like to retort charges of this description; but when Mr. Woodgate professes himself to be so scandalised by the moral defects of the converts, we trust that we are not transgressing the bounds of charity in advising him and his friends to look nearer home. What we are about to say we do not address to Mr. Woodgate or to any one else individually. We speak of the *class* of clergymen to which Mr. Woodgate belongs, the tractarians or high-church clergy. It cannot yet have been forgotten that both before Dr. Hampden's admission to the Anglican episcopate, and still more before the vindication of Mr. Gorham's doctrine, these gentlemen spoke very loudly of the destructive character of these measures if carried. We heard much about *vital* principles, and abandonment of articles of the creed, and of the Church of England proving itself not to be Catholic, and a great deal more in the same strain. Now, as we have already said, we do not intend to charge defect of moral principle in any individual case; we do not pretend to be searchers of the heart; but we must say that it does throw some suspicion on the moral rectitude of a class of men, who after having held language like this, substantially accept these adverse decisions, continue to communicate with those whom their champion-bishop had excommunicated,\* and quietly settle themselves down in their rich livings and comfortable parsonages. Well, all we will say is, that these are not exactly the men to bring the charge of "moral defect" against those who (although in their view mistakenly) have sacrificed not only worldly substance, but many things which they value more highly, in obedience to what they believe to be the truth of God. Giving Mr. Woodgate every credit for having acted conscientiously in his own case—indeed his book bears ample evidence that he must indeed change much before he can become a Catholic—yet we must say it is not a little unseemly for the "Honorary Canon" and rich "Rector" to look down on his former associates who have sacrificed so much (conscientiously at least, however ignorantly in Mr. Woodgate's judgment) to carry out those principles which he himself once held in common with them, and to cry out,

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\* See Dr. Philpott's letter to the Archbishop of Canterbury on the Gorham case, excommunicating him and his adherents.

Alas! alas! what moral deterioration! do but look at the *dress*, and *habits*, and *amusements* of these men!

We have very seriously to complain of Mr. Woodgate having undertaken such a work without informing himself of what has been over and over again written on the same subject in recent times. It is very tiresome to find the old ground gone over again without any notice being taken of what has been said again and again on the other side. Mr. Woodgate, as a general rule, does not attempt to meet the Catholic arguments; he simply ignores them. Thus, for example, he opens his treatise with an attempt to justify the supposed defect in the unity of the Church, by the fact of its defect in holiness; and apparently has never heard of what Catholic controversialists have said in reply to this objection. It is not in our province as reviewers to go into the argument, we must content ourselves with the bare mention of what it is. If, then, Mr. Woodgate had acquainted himself with what Catholics have written, he would have found that they maintain: first, that there is an aspect of the Church in which holiness can be truly and fully predicated of her. And secondly, that, in reference to the aspect which Mr. Woodgate takes of it, while holiness is a quality which obviously admits of degrees, unity does not so. A man may be holy by comparison, and more holy at one time than another. But unity is an absolute quantity; it admits of no degrees. It is not more absurd to call three men one, than it is to call two men one. So of the Church; it is absolutely one, or it is not one at all.

But Mr. Woodgate's argument goes still greater lengths. It seems to require that God did not intend that His Church should be one. Mr. Woodgate holds the Calvinistic doctrine that God has enjoined precepts upon man which he *cannot* fulfil. His words are,

"Everything proposed by the Almighty to man for his obedience and imitation, whether in the form of precept, type, model, or any other, must necessarily be beyond his reach and unattainable. Considering the infinite purity and holiness of God, and the corruption and weakness of man, it would seem to arise out of the very nature of the case. But beyond this, if it were otherwise,—if the rule were not beyond his reach,—if man could attain to, or overtake it, it would practically fail of its object, not only with reference to a state of probation, but also as connected with a covenant of grace and the doctrine of the Atonement. Such was the case with the



law of Sinai. Viewed in its spirit and interpreted by the law of love, its obligations were without limit. Ever becoming more and more expanded and spiritualized, opening new spheres of duty, disclosing new obligations to those who fulfilled the obligations which lay more immediately before them, shewing at every step the impossibility of fulfilling it, it brought home to the faithful servant of God the practical conviction that it could not be fulfilled, —that if his acceptance depended on his mere obedience, it was hopeless; or, in the words of the apostle, that ‘the law worketh wrath,’ and ‘by the law is the knowledge of sin;’ and thus prepared him to receive with thankfulness the glad tidings conveyed in the covenant of grace, which it was hopeless to look for from the law.”—pp. 8-9.

This is the Calvinistic theory which we are rather surprised to meet with from the pen of Mr. Woodgate. We need not inform our Catholic readers, that it is heretical and adjudged so by the Council of Trent, can. xviii. of the chapter on Justification. The Council sets forth the true doctrine in the following beautiful words: “Nemo autem, quantumvis justificatus, liberum se esse ab observatione mandatorum putare debet: nemo temeraria illa, et a Patribus sub anathemate prohibita voce uti, Dei præcepta homini justificato ad observandum esse impossibilia. Nam Deus impossibilia non jubet, sed jubendo monet, et facere quod possis, et petere quod non possis; et adjuvat, utpossis. Cujus mandata gravia non sunt cujus jugum suave est, et onus leve.” Ses. vi. cap. 11. We suspect that Mr. Woodgate will not much like his company when we tell him that his words are almost identical with the first of the condemned propositions of Jansenius. “Aliqua Dei præcepta hominibus justis volentibus et conantibus, secundum præsentem, quas habent, vires, sunt impossibilia; deest quoque illis gratia, qua possibilia fiant.” “*Declarata et damnata uti temeraria, impia, blasphemata anathemati damnanda et hæretica.*”

Of course the Council of Trent is of no authority with Mr. Woodgate. Still it may rather surprise him to find himself side by side with Calvin and Jansenius; and it furnishes another instance of the mutability of opinion in the established Church to find how the Calvinistic leaven is spreading itself, even amongst those who were only a few years ago the highest of the High-Church party.

Mr. Woodgate endeavours to support his theory of God giving precepts to men which they have not the capacity to obey, by some texts of Holy Scripture. In this he is



either very uncandid, or much less conversant with the interpretation of Scripture than we should suppose him to be. Is he not aware that these texts are susceptible of quite a different interpretation from that which he puts upon them? Of course he is entitled to his own opinion of their meaning; but he cannot fairly appeal to them as decisive in a controversy between himself and those who understand them in a different sense. For instance he says,

"Take, again, our Lord's precept, 'Be ye therefore perfect, even as your Father which is in heaven is perfect.' No one would for a moment imagine that this rule is capable of fulfilment, or that one trying to fulfil it indulged the presumptuous hope that he could succeed in doing so. It is only another illustration of the principle, that the rule, in order to be effectual, both as keeping us ever striving and as making us feel our own weakness and insufficiency, must be beyond our reach. The same remark also applies to our blessed Lord, viewed as our 'ensample of godly life.' God forbid that all those who fall short of that perfect model should be excluded from the class of His faithful people. The model must necessarily be beyond our reach."—p. 10.

Now we think that the context shews that Mr. Woodgate mistakes the whole point of this text. Our Lord here does not speak of the *degree* of perfection to which His followers are expected to reach, but of the *manner* in which they are to exercise one particular virtue,—that of charity. Our Lord tells His disciples that they are not to confine their beneficence to their own friends or brethren, but to extend it to all. "That you may be the children of your Father, who is in heaven, who maketh His sun to shine upon the good and the bad, and raineth upon the just and the unjust... Be ye perfect, etc.," that is, Exercise your charity, not as the publicans and heathens, "who love those that love them," but after the perfect method of your heavenly Father, who does good to all alike. This is surely a fair and reasonable interpretation, and takes away every shadow of support which Mr. Woodgate thinks he finds in this text for his very extraordinary position, that when our Lord enjoined unity upon His disciples, He neither expected nor intended that His precept should be fulfilled, but only that His Church should aim at a perfection which it could never reach.

"The same rule," he says, "by which we interpret our Lord's precept to 'be perfect' applies equally to His prayer for the visible unity

of His Church. Whatever may be said of St. John's abstract picture of the Christian character, and the unreasonableness of denying communion with Christ to those who do not realize it, may be said with equal truth of those strong passages expressive of Christ's promises to His Church, and the continual abiding and guidance of the Holy Spirit, on which are founded not merely its claims to indefectibility provided all the conditions necessary to it existed, but the claims of the Roman Church to the possession of that indefectibility and the other promises, as exhibiting a (fictitious) fulfilment of the conditions to which the promises are annexed. The other branches of the Church Catholic have more or less lost sight of the office with which they were collectively invested,—that of witness of the truth; and the Roman branch has stepped in and appropriated to herself not this office only, but the novel one,—and one subversive of all catholic tradition and the witness of antiquity,—that of determining, through the doctrine of development, new articles of faith. Now this power of determining new articles, even as a witness, could only be claimed for the Church throughout the world, and exercised through an œcumenical council. The Church of England, at the Reformation, settled the fundamentals of the faith, not on her own testimony, or by her own authority, but on the testimony of the Church, while, as yet undivided, she could speak as the ground and pillar of the truth through a general council."—pp. 12-13.

Mr. Woodgate then holds that the fulfilment of our Lord's promise of abiding in His Church for ever is dependant upon the existence "of all the conditions necessary to it." These conditions he thinks did exist in "the Church, while, as yet undivided, she could speak as the ground and pillar of the truth through a General Council." Will Mr. Woodgate then abide by his own words? Will he accept the decrees of all General Councils up to the time at which according to his view the Church was "as yet undivided?" We are not aware that any one can place the formal "division of the Church" earlier than the Greek Schism in the middle of the eleventh century.\*

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\* We must suppose that Mr. Woodgate speaks of the *formal* "division of the Church," for divisions of an *unformal* character had place even in the days of S. Paul. To suppose that any divisions of this kind would cause a forfeiture of the Church's gifts, would even still more perplex the question; for then either the Church forfeited her gifts almost as soon as she received them, (which cannot be Mr. Woodgate's meaning,) or otherwise it is left to each one's private judgment to say at what period these divisions reached a point at which the forfeiture took place. Hence

If then Mr. Woodgate would cordially accept all that the Church has decreed up to that period, it would materially narrow the boundaries of the controversy between us. But Mr. Woodgate well knows that he does no such thing. His Bishop, who is reported once on a time to have declared that "he had always been an enemy to the Catholic Faith," would scarcely have made an "Honorary Canon" of one who received all the decrees of the Church up to the eleventh century. It is a very common unfairness in Protestant controversialists that they will not stick to a point. When it is convenient they speak of being bound by the "undivided Church," and when it is otherwise convenient they speak of being bound by the Church of the first three, four, five, or six centuries, as the case may be. Now, we must say that if there ever was an absolute necessity for precision, it is on this very point in which Protestants of Mr. Woodgate's type are so widely at variance both from each other and from themselves.

Be it remembered that according to their admission, every thing decreed by the Church, so long as it had authority to decree, is to be received on pain of everlasting damnation. To all such decrees they will not hesitate to apply our Lord's fearful words, "whosoever believeth not shall be damned." We ask then, what can exceed the cruelty of leaving such a point undetermined as what is and what is not so decreed? Perhaps it will be said, all that is needful to be believed is summed up in the three Creeds—the Apostles', the Nicene, and the Athanasian. This answer might do for one who holds that the "abiding and guidance of the Holy Spirit," was withdrawn immediately after the composition of the last-mentioned Creed, about A.D. 340: but it will not do for one who professes to believe that this guidance continued until the middle of the eleventh century, when East and West were divided. Mr. Woodgate says that "the Church of England at the Reformation, settled the fundamentals of the faith—not by her own authority." We beg to ask then, on whose *authority*? The change of language in this passage is somewhat disingen-

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when Mr. Woodgate speaks of the Church, "as yet undivided," we must conclude that he speaks of it up to the year A.D. 1053, when *Michael Cerularius*, Patriarch of Constantinople, commenced the Greek Schism by publishing an act of excommunication against the Bishop of Rome, and the whole Latin Church,

nous and very significant. He does not venture to say that the Church of England settled the fundamentals on the *authority* of the undivided Church, as the contrast suggested by his own language would require. But it is on this point of *authority* that the issue of the question turns. When Mr. Woodgate speaks of *testimony*, he well knows that he speaks of that which at best is a matter of opinion. One man, or set of men, as "the Reformers," may form their opinion of the testimony of the early Church; but we know that it is very different from the opinion which Catholics then had, and always have had, on that testimony. Here is difference of *opinion*, who is to decide? Mr. Woodgate has as little right to impose his opinion upon us of what the testimony of the early Church is, as we have to impose ours upon him. What we want is an *authority*. This we claim for the Catholic Church, which Mr. Woodgate expressly repudiates on behalf of his own Church. He admits that the Catholic Church once possessed this authority, but that she has now lost it, or at least that her power is now "in abeyance" or "dormant."—p. 36.

We shall have more to say on this strange position by and by. In the mean while we are entitled to ask two questions, to which we have a right to expect categorical answers.

1. At what precise period did this "abeyance" or "dormancy" commence?

2. By what authority is the power of the Church pronounced to be dormant?

These questions, in substance, have been asked over and over again, and so far as we know they have never received any even colourable reply. Yet assuredly if ever there were questions imperatively calling for a reply they are these. For, as we have already remarked, the "power" here spoken of, is admitted to be that of requiring us to believe or not to believe on pain of everlasting damnation. Up to some point of time, as yet undefined, Mr. Woodgate admits that the Church possessed the free exercise of this power. But at a certain period the power became dormant. Whatever the Church, or any body of persons pretending to be the Church, decreed after that time is of no force or authority whatever. Of what immeasurable importance it is then that we should know the precise date of this change on which the interests of Eternity itself depend. We might be excused for requiring to know not only the year, but even

the day and the hour of such a change. Yet nothing can be more vague than the opinions of Protestants on this point. Some have placed it as early as the third, or fourth century, and Mr. Woodgate, as we have seen, seems to place it as late as the eleventh. We say *seems*, because we doubt very much whether he would not recede from this very liberal date, if he were closely pressed with the consequences of adopting it. The result of this vagueness and discrepancy must be, what indeed we find to be the fact, that Protestants differ almost as much from each other as they do from ourselves. For instance, Mr. Woodgate must consider many things necessary to be believed to salvation, which others, even high-churchmen, feel themselves free to reject. Who must not see that this theory is a very clumsy expedient to disguise the naked exercise of private judgment?

2. Mr. Woodgate admits, that by the very words of our Lord, the Church was originally endowed with power "to speak as the ground and pillar of the truth." Assuredly then we have a right to ask, by what authority this power is pronounced dormant? Mr. Woodgate does not even pretend to give us any such authority. It might well be questioned whether the Church herself has any authority to pronounce her own power to be in abeyance. What have we then to support this strange assertion, except the *opinion* of Mr. Woodgate, and of some other men equally fallible with himself? and this is to override an authority which is expressly admitted to have been exercised by our Blessed Lord Himself! Can anything be more unsatisfactory, not to say presumptuous and profane?

That we do not misrepresent Mr. Woodgate will appear from the following passage.

"When the Church itself began to lose its purity, and when those same powers, if exercised under the then circumstances, might have been employed to give a fatal sanction to error and false doctrine, it pleased the Divine Ruler of the Church, that by this division she should be deprived of the powers she was not in a condition to be trusted with, or to exercise with safety. She could no longer produce an œcumenical council; she was deprived alike of the power to rescind former decrees, or to enact new ones. The voice of the Church, save so far as it spoke antecedently to the division, was silent for good or evil. Its several branches might henceforth decide, in their subordinate jurisdiction, and for the guidance of

their respective members, what the Church has said, and might frame their terms of communion accordingly ; but the voice of the Church, as the living interpreter of God's Word, was hushed, except so far as it spoke in the decrees of the past."—p. 14.

Mr. Woodgate, elsewhere (p. 36,) describes the Church as consisting of the "three Branches," the Roman, the Greek, and the Anglican. Hence, it again appears, that he admits the Church to have had authoritative voice until the Greek Division. His theory is that the Church was only to be one so long as it was pure, and that when it became no longer one, it ceased to have any authoritative voice. This latter position no one can dispute on Mr. Woodgate's impossible assumption. But what can be more contrary to Scripture, to the analogy of faith, and to fact, than his former position, namely, that the Church was to preserve its unity only so long as its individual members retained their purity? Why, this is no other than the old pharisaical cry, "This man receiveth sinners and eateth with them." In Mr. Woodgate's sense, when was the Church otherwise than impure? Holy in herself, as the Spouse of Christ, and washed in the waters of Baptism—she has ever had, in her militant state, a mixture of the tares with the wheat. When it suits his purpose, Mr. Woodgate can see this clearly enough.

"What a contrast," he says, "presents itself between the Church of Corinth, as it existed even at the period when St. Paul wrote his Epistles to it, and as it ought to have been according to the scriptural theory of the Church!"—p. 32.

But according to his theory here set forth, the Church forfeited her gifts of unity and indefectibility as soon as she received them. But this theory again is contradicted by a fact which he himself admits, that she was undivided for many centuries.

But above all what is to be said of our Lord's own express promises of His own presence—of the gift of the Holy Ghost, of the unity and the indefectibility of the Church to the consummation of ages? Let us hear Mr. Woodgate's view of the matter.

"In reply, therefore, to the assertion of the Romanists, that, in addition to the ordinary gifts conveyed by Christ to His Church, there was given the power of an ever-living interpreter of His Word



—that this power has never been recalled—that it must still exist in the Church—that the Roman successors of St. Peter have continued to exercise this power—that no other branch of the Church has laid claim to it, and that if they did, they could not establish it—I maintain that it by no means follows that this power still exists in the Church, in the sense in which the Romanists hold that it does. I do not say that it is extinct,—the gifts of God are without repentance; but I maintain that it is *in abeyance*. The conditions essential to its active exercise do not at this time exist, especially that of unity, and the holiness on which unity itself in part depends for its existence. I do not say that those powers could not be called into life to-morrow, nor that the Church would not then speak with authority, were the antecedent conditions fulfilled; but in the absence of the latter the others are dormant. Whether these powers will ever again exist in active life, must depend on the conditions here spoken of; and whether these will again exist, is more than any one not gifted with the power of prophecy can take upon himself to aver. Our Lord may have referred to the improbability of such an event in that mournful question,—“Nevertheless, when the Son of Man cometh, shall He find faith on the earth?” It may be safely maintained that they do not exist in active life at this time, and that they have ceased to do so since the separation of the Church into its Eastern and Western portions—not to mention the subsequent subdivision of the Western portion—rendered it impossible to convene an œcumenical council through which the *consensus* of the whole undivided Church could be collected, and her voice be heard. And, as was observed before, it is a providential circumstance that it has been so ordered, that when the moral or spiritual condition of Christendom no longer afforded a ground to hope that such decisions would be for the edification of the Church or the maintenance of the purity of the faith, the powers were then suspended which could no longer be exercised with safety. Meanwhile the living interpreter, which Romanists maintain must exist somewhere, is practically secured to us in the decrees of the œcumenical councils on all points necessary to salvation.”—pp. 35-37.

Now, of this very strange theory we must say,

1. That it is advanced without any support from Scripture or from the authority of the Church, “as yet undivided.” This theory of “*abeyance*” is a mere theory invented to meet a difficulty.

2. It is substantially to make void the promise of our Lord. Of what value is a gift, the exercise of which is “dormant” or “*in abeyance*?”

3. It strikes at the root of all Christian responsibility: we are responsible for a life in accordance with the principles and precepts of the Gospel; but that respon-



sibility rests upon the gifts of the Gospel. Mr. Woodgate's theory represents our Lord as exacting the tale of the bricks after having taken away the straw. For if his theory of this one gift holds good, we do not see why others with equal plausibility should not hold the same with regard to any other of the gifts, as for instance, the grace of the Sacraments, the sanctification of the Holy Ghost—nay, even of the atonement itself. Our Lord made atonement for our sins: with just as much reason as Mr. Woodgate has, some one may say, We have sinned away our title to it—the exercise of its virtue is “dormant” or “in abeyance.”

4. It is virtually setting aside our Lord's promise. What signifies Mr. Woodgate's distinction between the presence of a gift, and its exercise? He supposes the gift to have been dormant for many centuries, and more than hints that it can never again awake out of its sleep. Wherein does such an abeyance substantially differ from a withdrawal? Our Lord promised this gift, as Mr. Woodgate admits, in perpetuity, “The gifts of God are without repentance.” What mere trifling then it is, in a matter of all others not to be trifled with, to say, True, the gift is not “extinct,” but it is in perpetual abeyance. And this on a mere assumption of his own, without venturing to suggest that our Lord Himself, the Promiser, gave the slightest hint of any such method by which the effects of His promise might be defeated! His words are, “Lo, I am with you,” not as long as you deserve it, not as long as the members of the Church maintain their purity, but, “unto the consummation of all things, or to the end of the world.”

Mr. Woodgate's suggestion, for really it amounts to no more, is a manifest *ὕστερον πρότερον*; it is a perversion of what we may term the genius of the Gospel. Our holiness is the end, subservient of course to His glory, for which God confers His gifts. He does not make our holiness a qualification for His gifts, but His gifts a mean to our holiness. Our Lord promised the gift of the Holy Ghost in order that His Church might be one; He does not require its unity in order to its possession of the Holy Ghost. This is so plainly the case, so obvious from the words of promise,—“that they may be one,”—so accordant with the whole genius of the Gospel, that we wonder how Mr. Woodgate could fall into so

strange a mistake as to invert the order. The consequence of his mistake is to throw him into despair of any remedy for the "anomalies" over which he laments. The natural remedy which, one might suppose, would suggest itself to one of Mr. Woodgate's opinions, would be a General Council of the Church. High-church Anglicans in general profess to look in that direction. But Mr. Woodgate's theory shuts out this hope, which we must confess is no great loss to him.

"Some persons have at this day been rash enough to express the wish that a general council could at this time be called together to determine points of controversy. I cannot conceive any measure, supposing it were possible, fraught with more danger to the faith. Besides the improbability, in the present state of ignorance on matters ecclesiastical and doctrinal, and in the present temper of men's minds, of coming to any sound decision, the danger would be (unless prevented by the divisions which would render the council itself nugatory) not only that a sanction would be given to errors of the worst description, but that even vital truths, settled anterior to the division, might be assailed and impugned. This might appear to some to denote a want of faith. It is not so, however. Strictly speaking, the case may be regarded as an abstract one, not likely to occur. For there is this self-correcting principle in the matter, that, with the decrease of holiness and purity of faith which would render an œcumenical council dangerous, there arise simultaneously those divisions which would render it impossible to convene it; or, if possible, would prevent its coming to any decision. Still, admitting that a really œcumenical council, supposing it could be called, would be protected from fundamental error, we might, not inconsistently, fear the result of one ostensibly called in the present state of the Christian Church. We may picture to ourselves a council which, without being sufficiently œcumenical to claim that title and the powers presumed to accompany it, might be sufficiently general, in the eyes of many, to give a sanction and force to its decrees which they would not like to contravene, and which might cause serious embarrassment. Without claiming for an œcumenical council more authority than our Article is disposed to concede to it, it cannot be denied that its decisions would have a power which cannot be regarded without awe."—pp. 37-39.

This makes the matter hopeless indeed. If we understand Mr. Woodgate aright, he holds that the Church can utter no voice until she is more holy, and on the other hand she cannot be more holy until she can utter her voice: this is "a correcting principle" with a vengeance;

we will rather term it, according to the emphatic American nomenclature, "a fix."\*

But Mr. Woodgate is not content with defence. In the following strain, which we trust he may live deeply to mourn over and blush for, he assails the Catholic Church.

"With regard to the unity professed by the Roman Church, I deny its existence. Its outward conformity, to a certain extent, may be admitted; but only to a certain extent. For beneath this outward conformity there is a vast amount of unbelief and dissent, which the Church is compelled to wink at, if it would not lose a considerable portion of its members. The apparent unity is purchased by connivance at a considerable amount, not only of immoral and ungodly living, but also of actual dissent and unbelief. But they dare not notice it. The Gallican Church, though nominally a part of the Roman, has always been more or less in a state of opposition, if not of partial independence; while several of its most distinguished members have not scrupled to avow their dissent from those terms of communion or practices which they deemed sinful: but the Roman Church has not dared to exclude them from her communion. Now, whatever may be the doctrinal errors of the Roman Church, the moral delinquency exhibited in the connivance at immorality, as well as what they must deem heterodoxy, for the sake of gaining converts or retaining their members, is one of the worst features in their system. Surely holiness of life and purity of conversation are as much among the notes of a true Church as outward unity of doctrine. What reply, then, can the Roman Church make to the argument founded on the unblushing vice and immorality which meets the eye in every capital in Europe where the Roman faith is professed, even among her own avowed members? Do they say that they cannot prevent it? True. But they might excommunicate such, or lay them under ecclesiastical censure.

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\* Will Mr. Woodgate excuse us for asking whether he would be equally passive under the application of his "abeyance" theory if it were applied to the temporal endowments of the Church? He will not maintain that the tithes of Belbroughton have a higher sanction than the spiritual gifts of the Church. Would he have accepted his "living" or would he continue to minister in it, if the "hire of the labourer were withheld?" or if some friend were to suggest for his comfort that former Rectors of Belbroughton received their tithes very punctually, that his present loss of them was only an "abeyance" and no forfeiture (although their restoration was rather hopeless), what force would he attach to the argument? Would he content himself with sitting still, and writing a book on the Anomalies in the Rectory of Belbroughton?

But this they dare not do. They prefer retaining them in nominal communion, at the expense of one of the chief notes of a Church. Proselytism on almost any terms seems their rule; and I question whether the most ultra-Protestant society in this country is more unscrupulous as to the means by which they may attain their end. I believe, and I have heard others who were competent to form a judgment aver the same, that if any individual of high rank or influence, or one of great celebrity and influence from other causes in a different class of life, were to offer to join them, he would be allowed, as regards the points which separate them from us, to make his own terms of communion, if he would engage to hold his tongue, and could be relied upon for so doing. At this very time, the ecclesiastical system at Rome itself is only kept together by an armed foreign force. Remove that, and the whole system becomes one chaos of confusion and anarchy. There is, or was but a few years since, a great amount of profligacy and infidelity among the Spanish clergy. Yet the Papal See dares not exclude, or lay under ecclesiastical censure, what it has not the power to prevent. It is as much a slave to its own people as the elected government of a republic."—pp. 17-20.

Has Mr. Woodgate really so carelessly examined the very elements of the controversy as not to know the terms on which the Catholic Church enforces unity? And again, not to know what the Church can and often does dispense with, and that which she never dispenses with? His marvellous want of information on this latter point, is apparent from a note which he appends to the passage just quoted.

"There is in Sicily, and I believe in some parts of Italy, a considerable body, called 'United Greeks,' members of the Greek Church, who, on condition of their acknowledging the Pope's Supremacy, are admitted into the Roman Communion, with the liberty of having their own priesthood, and of retaining all the essential characteristics of the Greek Church, including the reception of the Cup by the laity, and the omission of the *Filioque*."—pp. 19.

Not only "in Sicily" are such things done; but if Mr. Woodgate had ever been in Rome on the Epiphany he might have seen not only the Priest of the "United Greeks," but priests of we know not how many various rites ministering together at different altars in the Chapel of the Propaganda; and during the Epiphany week he might have found in one of the large Churches in Rome, under the very eye of the Pope, High Mass celebrated in a different rite each day. Mr. Woodgate, rejoicing in his

own "Act of uniformity," seems to think that the "Romanists" must be equally favoured. He forgets the exclusive enjoyment which his own Church possesses of Parliamentary Government. We Catholics have no such "Act." And the Catholic Church has ever been most tolerant in relaxing matters of discipline, where such relaxation has been deemed expedient. But how could even Mr. Woodgate be so uninformed as to place in the same category with such things, the doctrine of "the procession of the Holy Ghost from the Son?" On whatever authority he makes this assertion about "the omission of the *Filioque*," we can assure him that he has been deceived. Such a concession is simply impossible. Mr. Woodgate may have so familiarised himself with the plan of "bracketing" which prevails in the American branch (or twig?) of his own Church, and which is said to be threatened nearer home, that he imagines it also has place in the Catholic Church. So to please "the Greeks," we have "bracketed" *Filioque*! Let us assure him once for all that this system of bracketing is a true Protestant invention, to which the Catholic Church can lay no claim.

Protestant controversialists would surely do well to comprehend what our doctrines are before they assail them. Whatever the Church has decreed to be *de fide* of doctrine or of morals, this every Catholic, be he Greek, Armenian, Egyptian, Gallican, Jesuit, or what not, is bound to receive. To this rule there is absolutely no exception. In matters of discipline such as allowing the cup to laity, in matters of doctrine where the Church has not ruled, in the differences between Thomists and Scottists, and Jesuits and Gallicans, diversity does not break unity. To say then, that "Gallicanism" or "Jesuitism" has existed within the Church, is to say nothing to the purpose. If Mr. Woodgate means to assert that no more important divisions than these have place in the Established Church, we need not be very careful to answer him. Our saddening complaint against that body is that it is separated from unity—from the source of light and truth: its internal divisions affect us but little. Our complaint would be the same if it were as remarkable for its unity in itself, as it is for its divisions and dissensions. But to shew the want of force in Mr. Woodgate's comparison, we have only to notice that the open and avowed dissensions in the Anglican Church, consist of such matters as asserting or denying the efficacy of Holy

Baptism, the real presence, a Sacrifice in the Eucharist, the Apostolical Succession, &c., &c. That such matters can be placed on the same footing with the differences between the Gallican and the Ultramontane theories, only shews what shifts those who are out of the Church are put to for the mere semblance of an argument.

But Mr. Woodgate will say, that he brings a more serious charge against us than this: "beneath this outward conformity, there is a vast amount of unbelief and dissent," and Mr. Woodgate is very indignant that the "Roman Church" does not exercise a severer discipline, and cast her unworthy members out of her pale. Now we must say, much as we have been used to Protestant presumptuousness, we do not remember anything to equal this. Here is a country parson in a midland county of England, taking upon himself to lecture the Pope, and Cardinals, and Bishops, of the Roman Catholic Church throughout the world, on the manner in which they ought to administer the discipline of the Church! How can a respectable man, like Mr. Woodgate, make himself so pre-eminently ridiculous? Such unworthy members of the Church as he describes would have been excommunicated in early times. Well supposing they would—though this we suspect would not have been after Mr. Woodgate's method—is he not aware that the Catholic Church has always adapted her discipline to times and circumstances? Unbending as she has ever been and ever must be in doctrine and morals, like a kind and gentle mother she has varied her discipline according to the strength and necessities of her children. But since Mr. Woodgate will set himself up as a judge above Pope and Bishops in this matter, we must be allowed to turn his judgment upon himself. He thinks, or rather decides that every notorious offender, nay every covert unbeliever, ought to be excommunicated. He sets this forth as a duty to God, as an obligation on the Church. Why then, we ask, does he not act upon his own rule? Let us hear his own reply.

"That this is not practically carried out; that the Church of England is unable to exclude from her communion those who violate her terms of communion; that a man may violate every law and ordinance of the Church, and yet under the protection of the civil power may profess Church membership, and claim her ministrations, does not affect the validity of what is here said. Such an abnormal state of things, bad as it is, does not vitiate the princi-



ple, nor give any sanction to the Romanist assertion that the Church of England teaches without authority. It arises out of the relation in which the Church stands to the State, on the one hand; and the violation, on the part of the State, of the duties involved in that relation. To the exercise of her own discipline, and the application of her own laws on the part of the Church, the State attaches civil penalties of the severest kind; extends its protection over the most abandoned profligates and systematic violaters of every Church law."—p. 48.

This is the plainest admission we remember ever to have seen, that the apostolic rule ought to be reversed, and that we ought to obey man rather than God. Mr. Woodgate admits, or rather pronounces judgment that such offenders by the law of God ought to be excommunicated; but, says he, the clergy of the Church of England are prevented from taking this course by "civil penalties of the severest kind;" whereas the Roman Catholic clergy have no such excuse, and therefore ought to proceed at once to execute sentence against the offenders. We beg to assure Mr. Woodgate, that where the Catholic Church regards any course as prescribed to her by the law of God, she would not consider "civil penalties of the severest kind," as any reason or excuse for not adopting it. Perhaps therefore, some more charitable reason may be found for the gentler discipline of the Church of this day. But why does not Mr. Woodgate take in hand this severer discipline in his own communion, to which he admits himself to be bound by the highest considerations? What is there to prevent him? Only "civil penalties,"—in other words, the forfeiture of the tithes of Belbroughton—stand in the way. And what is to prevent Dr. Pepys, and Dr. Sumner from supporting him in his purifying measures? Only the forfeiture of Hartlebury and Lambeth, with certain other very agreeable accompaniments, but which we suppose, Mr. Woodgate himself does not regard as essential to the Apostolical Succession. Is there not here then an admission that "the Church of England" prefers the good things of this world to the law of God—an admission by her avowed advocate and friend? Could her enemy say anything more severe against her?

But we have not yet done with this unhappy passage. Mr. Woodgate speaks of "the unblushing vice and immorality which meets the eye in every capital in Europe, where the Roman faith is professed even among her own

avowed members." We suppose Mr. Woodgate speaks from hearsay, for his book bears internal evidence that he has not lived much abroad. Protestants repeat these sorts of things until they really believe them: it is not for us to say how far that may relieve them from the charge of being wilfully "false accusers." The writer of this article has visited most of the capitals in Catholic Europe and resided for some time in several of them, and he can say that the charge in the terms in which it is made is *positively false*. Paris might be put aside, as alas! scarcely a Catholic capital. But we will say that even it does not exceed London in "unblushing vice;" and of the other Catholic capitals it may be truly said that a person walking from Charing Cross to Regent's Park in the dusk, will see more "unblushing vice" in one evening, than he will see in most of them for a month, and in some as long as he chooses to reside in them. It is really a very scandalous thing that a gentleman of education and respectability like Mr. Woodgate, should deal out such sweeping charges for which he can have no solid foundation.\*

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\* It is an invidious and unpleasant thing to speak of the vices of our own people; yet these pharisaical speeches in which Protestants indulge of the "more degraded state of the Continent," almost compel us in common fairness to say something on the other side. The other day, Mr. Gladstone related a story in the House of Commons, which may well fill us with shame for one of our national vices. A street was to be pulled down occupied by persons in mercantile life, and they were to receive compensation calculated on the amount of their incomes. Accordingly they sent in a claim for an amount exceeding £40,000. Commissioners were appointed to examine into the claim, who reduced it to an amount between £20,000 and £30,000. But when the same parties returned the amount of their incomes to be assessed for the Income tax, they returned it at £9000! If covetousness and dishonesty are sins, it may be well to look nearer home for instances "of unblushing vice and immorality." Or let any one who is well acquainted with the gay and innocent character of the generality of continental seasons of recreation contrast them with the following description of English "pastime" recently inserted in the public papers. It is with real reluctance that we quote such an exhibition of our "unblushing vice and immorality," but such observations as Mr. Woodgate's in common justice force it from us.

"CRYSTAL PALACE CIVILIZATION.

"To the Editor.

"Sir,—I suppose you have been to the Crystal Palace, and that

Mr. Woodgate proceeds with his charges :

"A more striking instance of this disingenuous procedure is seen in the mode pursued with their English converts. Those who are familiar with the errors and practices of the Roman Church in their

you have looked at it with a philosophic eye, as an element of our modern civilization. Do you remember that the scheme was launched with a grave and philanthropic air, bemoaning the degradation of the toiling millions, and proposing to erect a powerful competition for their suffrages, against the blazing and dangerous attractions of the ginshop and the public-house? Hence it was to be a grand collection of all that was naturally and artistically beautiful, and the world was to see this new thing,—a nation purified, elevated and ennobled, by æsthetics. Other philanthropists sympathized with the scheme, yet not without uttering notes of warning, lest errors should be committed which might frustrate the lofty intentions of the founders.

"Now, Mr. Editor, if you did not go to the *fête* of the Early Closing Association, I did, and I'll state some things that I saw and heard. Passing by the fact that it was impossible to get a breath of pure air in those magnificent gardens for the poisoning taint of tobacco smoke, and passing by the clever illustrations of the way in which human life is sacrificed by the bayonet, I will endeavour to describe the closing scene. For two hours or more, anxious crowds waited for transmission to the metropolis. One man started a song and called on the crowd to join him in the chorus, which was done in the most approved pot-house style; at the close of which the leader said, 'Let us pray,' and proceeded to tone out a mockery of the most sacred exercise in which the human mind can engage. He then called upon the mob to 'Sing to the praise and glory of God, the 220th Psalm,' and gave out in mock serious manner several verses, loose, disconnected, and some of them disgustingly filthy, which were sung to a psalm tune, with pretended gravity, by many half-drunken men, and, I blush to add, by women too. This scene being over, a quarrel was got up by two or three drunken persons, who, in the midst of a crowd now become very dense, were pressed upon by those behind them. Oaths, curses and threats passed freely, though no acts of violence ensued, perhaps in consequence of the timely removal of the barrier, when the whole crowd rushed forward, or was driven towards the entrance of the railway. In the carriage in which it was my misfortune to return, low songs, filthy jests, obscene allusions, and coarse laughter, filled up the time of transmission, and left upon my mind no very flattering impressions of 'Crystal Palace civilization.'

"I give you the facts, and ask you to afford us, if you can, an explanation.—Yours truly,

"AN EYE AND EAR WITNESS."

worst form, as they exist in continental countries, express their astonishment that educated Englishmen and Englishwomen should adopt these, or give their sanction to them. Some of the latter, indeed, when this question is put to them, will tell us that with them the question is not one of *detail*. The great questions of unity, and of the necessity of a living interpreter of the word, are with them paramount, and supersede every other; and it would seem that they are not required to give too precise an account of their faith in these matters of 'detail.' They are told, that if they embrace the main features of the Roman system, such as the Supremacy, &c., they need not trouble themselves at present with those details as they are called, which stand so much in the way,—such as Mariolatry, and others.

“But the fact is, that the faith taught to the educated English converts, especially the laity, is not that held by the continental Romanists. When I have asked English Romanists how they justified the invocation of saints and of the Blessed Virgin, the reply has been, that they only asked their prayers, as you ask those of the living saints or living friends, and that they sought the prayers of the Virgin only as being the chief of departed saints; but that if we think that they pray to the saints in any other way, or beseech the Virgin as having any authority or power of her own, we are greatly mistaken. And such, I have no doubt, is the way in which the invocation of the saints is presented to English converts, and such the view they take of it; a view which, however dangerous in the hands of the ignorant and uneducated, who would be apt to lose sight of the distinction between the intercessory prayer thus sought and the intercession of the great Mediator Himself, might possibly be unattended with evil consequences to the educated few, however unauthorized by Holy Scripture. I need not say however, that this doctrine and view of the intercession of saints and the Blessed Virgin, is not that held and taught in Roman Catholic countries; and that a person giving open utterance to such a view in Spain or Italy, even in the present day, would be speedily silenced. It is equally clear that the doctrine taught and believed by the mass of the people in Spain and Italy, would not be received by the educated Englishman. Consequently, to him a different view is presented. Such a proceeding may be necessary, if they wish the doctrine to be received. But what in that case becomes of this boasted unity of doctrine with the want of which they taunt us, and by the pretended possession of which they seduce our members?”—pp. 20-22.

Now as to the charge of “disingenuous procedure” we will put a parallel case to Mr. Woodgate. We suppose that he would wish to bring dissenters into his Communion. Now it is well known some time ago, (we speak carefully because such are the variations in the Anglican Church

that what is quite true of it at one time may be untrue of another,) some time ago "forms of prayer" universally prevailed in the Church of England, not only in the public assemblies but even in the family and in private. On the other hand the dissenters generally held all such forms to be highly objectionable. If then Mr. Woodgate had wished to "proselytize" a dissenter, would he have made this feature in his Communion a prominent point? Would he have thought it "disingenuous" to act in the following manner? Let me shew to this dissenter the *essential* points on which he is wrong, let me place before him what the Church of England *requires* to be received and practised. Once convinced of this, "minor details," such as the forms of prayer, will soon naturally follow! We can only say that if Mr. Woodgate would take the opposite order, we think he would be a very unwise man.

Now the Catholic Church has far stronger reasons for acting in the manner which Mr. Woodgate charges to be disingenuous. The Catholic believes that out of the Church there is no salvation, *extra ecclesiam nulla salus*. On the other hand he is sure that when any one once finds refuge within the Church he will gladly yield himself to her guidance, a result to which an exception can scarcely be found. It is well known that Protestants have been educated in violent prejudice against some of the most popular Catholic devotions. No Catholic will say that these devotions are *essential*. A Catholic who reverently goes to Mass, does all in the way of devotion that the Church absolutely requires of him. It would not therefore be merely unwise, it would be unlawful and unjustifiable, if a Catholic wishing to convert a Protestant, were in the first instance, to place before him all the popular devotions of the Catholic Church, and say, see what you have to do if you become a Catholic. It would be untrue to say so. The case is quite conceivable that a man might be a sound Catholic, and save his soul, whose prejudices might prevent him from ever using these devotions. We gladly admit the fact however which seems to give Mr. Woodgate such great offence, that few converts, when once within the Church, find any difficulty in the devotions which are in general use amongst their brethren. They soon perceive how unfounded and how unreasonable were the prejudices which they had indulged while they were Protestants.

Equally at fault is the assertion of the difference between "English and Continental Romanists." The Litany of our Lady is used by Catholics throughout the world, and it would be difficult to find language which ascribes more honour to the Blessed Virgin in any devotion to her of any country. Mr. Woodgate's misapprehension of the answer which he says he has received from English Catholics arises from his own misunderstanding of the subject. Every Catholic, whether a convert or not, would tell him that prayer to the Blessed Virgin is of the *same nature* as a request to a living saint or friend, and is essentially distinct from the addresses we offer to God. He ought not to need the information that when we pray to God, we pray as to One who is the sole fountain source and cause of every blessing that we can receive. When we pray to the Blessed Virgin, we pray as to one who can powerfully intercede with God on our behalf. Whatever Protestants may think, these two conceptions are entirely distinct in the minds of Catholics. But Mr. Woodgate mixes up with these another quite distinct question, namely, how far the thought of the Blessed Virgin's *authority* over her Divine Son may influence our addresses to her? That this thought should appear so strange to Protestants probably arises from their very vague and indefinite conceptions of the Incarnation. They seem to view this great fact as a sort of episode in the History of Christianity—an historical event rather than ever-present reality. They seem able neither to realise the fact of an Infant God nor that of an everlasting God-man. There can at least be nothing impossible, in the nature of things, that the Blessed Virgin should exercise a mother's authority over her Son in heaven. Holy Scripture tells us that she had this authority upon earth, and our Lord was not then less God or more man than He is now. Some Catholics dwelling upon this truth may, without objection, plead with the Virgin Mother to exercise her authority, whatever it may now be, with her Divine Son. Other Catholics contemplating more intently the inconceivable exaltation of the Man Christ Jesus, may think of that maternal authority as altogether superseded, and so may altogether abstain from the use of any such plea. It is one of those points involved in deep mystery, upon which the Church has decided nothing, and upon which therefore different opinions may very well find place. As to Mr. Woodgate's



notion, that a teaching is allowed in England which is prohibited in Spain or Italy ; it is entirely the fiction of his own brain—and an unsupported calumny.

Mr. Woodgate frequently charges the "Roman Church" with a studious concealment of her "divisions" and "discrepancies." It is rather a strange accusation to come from an English clergyman of a remote country parish. We may fairly ask, if they are so studiously concealed how do they come to have reached his ear? We can only assure Mr. Woodgate, in all sincerity, that we heartily wish that he and other Protestant controversialists were more fully acquainted with what he calls "the Roman system." Such an acquaintance would save us an immensity of trouble ; for what we have constantly to complain of, and in none more than in Mr. Woodgate, is, that we have not to meet arguments directed against our religion—a comparatively easy task—but over and over again to shew the vague and distorted view which Protestant prejudice has formed of it,—a thankless and heartless task of which we are indeed intensely weary.

This must be our excuse for leaving many other parts of Mr. Woodgate's book unnoticed. It is indeed so full of misapprehension of our doctrine and teaching, that to correct all his mistakes would require us to transfer almost his whole work into our pages. But we must notice one or two special particulars, which really need no words to expose them.

Mr. Woodgate's theory of the Catholic Church requires him to acknowledge it as consisting of three "Branches," the Roman, the Greek, and the Anglican. Now let us hear what he says of it and of them.

"But as regards the seeming separation of these two branches of Christ's Church, as well as the divisions existing between the several parts of each, such a state of things, abnormal as it is, is only what might have been expected from the moral and spiritual condition of the Christian world. However opposed to the theory of the Church, however far removed from the fulfilment of our Saviour's prayer respecting it, it does not affect the reality of either Church in relation to the holy Catholic Church throughout the world, from which they are at present outwardly severed, or in relation to the component parts of each."—pp. 27-28.

Thus he holds that a thing may be "outwardly severed"

from itself, and that a Church may stand in a certain "relation" to itself.

Or take the following note, which will scarcely be read with gravity.

"It is not improbable that a greater interest may have been attached to the Roman See from its connection with St. Peter,—similar, though on a larger scale, to that which is associated, in the memory of the English Church, with Sodor and Man, through Bishop Wilson; or with Winchester, from the pious gratitude with which the memories of William of Wykeham and Waynfleet are cherished by many; or with that of Bath and Wells, through the memory of Ken."—p. 69.

The same we think may be said of the strange ingenuity which professes to find a parallel to popery in the practice of duelling! The passage is too long to quote, and some parts of it we could not prevail on ourselves to publish. It is to be found p. 81, note.

Two of the passages we have referred to occur in the part of Mr. Woodgate's work which is devoted to the consideration of "The Papal Supremacy." On this subject we feel it quite unnecessary to enter. It would seem that Mr. Woodgate has not seen Mr. Allies' very able treatise on "The See of St. Peter," for we cannot bring ourselves to believe that if he had perused that remarkable work, he could have ignored its existence. We beg to assure him and his readers that they will find most if not all of his objections and difficulties anticipated and met in Mr. Allies' pages. Until Mr. Woodgate has considered the arguments there employed, and replied to them, he can scarcely expect us to put forth our reasons for attaching no weight to his very vague and discursive observations. We cannot, however, conclude without offering some general remarks on the nature and character of Mr. Woodgate's whole argument.

The outline of Mr. Woodgate's argument is this,—The whole Church is in an anomalous state; we fully admit that anomalies without end are to be found in the Church of England; but let no one on this account think of leaving her, for the same or even worse anomalies are to be found in the Church of Rome. Now let us examine this position in the very points selected by Mr. Woodgate.

1. In the first place he admits, on behalf of the Church of England, that the great gift of the Holy Ghost, by which our Lord promised perpetuity, indefectibility, and infalli-

bility to His Church, is dormant or in a state of abeyance. This is truly an "abnormal" or "anomalous" state. If we understand Mr. Woodgate's theory aright, he maintains that the Church cannot err, and cannot fall. Yet she has no power of perception between truth and error; and the power to keep her from falling, though not extinct, is dormant. This seems to us so very anomalous, as to amount as near as may be to a contradiction.

But on what ground does Mr. Woodgate impute these anomalies to the Catholic Church? He may dispute our pretensions;—that his own position compels him to do;—but we defy him to shew that the state of the Catholic Church is in anyway anomalous or abnormal. She has held on her course without difference or divergence from the beginning. Mr. Woodgate of course will maintain that she has added novelties to her creed. That is the point in dispute between us. But even his zeal cannot charge the Catholic Church with having changed her principles or constitution. She maintains the abiding active power of the Holy Ghost as at first conferred upon her. She defies her adversaries to assign to her any beginning except the foundation of Christ, or to specify any change or break in her constitution which involved forfeiture of her gifts,—we beg pardon, their "dormancy" or "abeyance." Her adversaries themselves have no consistent theory upon that point. Mr. Woodgate says her gifts are dormant. Others say they are gone. Others that they were never possessed; but scarcely two persons will agree in saying why, or how, or when.

2. Again, Mr. Woodgate's theory drives his rickety vessel on the shoal of private judgment, however he may attempt to repudiate it. We will admit, if he pleases, that he and his party do not allow of the interpretation of *Scripture* by private judgment. No; they will have the help of early tradition; of the first three, four, five, or six centuries, or more, as the case may be. But, we ask, what is it but private judgment which fixes the limit of this traditional interpretation? And again, what is it but private judgment which interprets the tradition itself? For instance, Catholics as wise and learned as Mr. Woodgate can pretend to be, interpret the early tradition in a very different sense from himself. Who is to judge between them? For instance, Cardinal Wiseman judges that Scripture and early tradition recognize Seven Sacraments

in the Church. Mr. Woodgate finds only two. If we are to stop at early tradition, who is to decide between the Cardinal and Mr. Woodgate? Here is the old fallacy involved in the confusion between the law and the judge. The best law cannot interpret itself. Experience teaches us this every day. However plain a law might seem to be against murder, or theft, or any other crime, persons may be found to violate it, and yet find some ingenious plea why they do not fall under its sentence. A judge must pronounce whether they do so or not. So however plain Scripture may be, or however plain the language of the Fathers, the ingenuity of man will find divers interpretations. A judge is required to decide upon interpretation, and this must be not a "dormant" judge, but one who is wide awake, and fully alive to his powers and responsibilities. Such a judge we find in the Catholic Church.

3. But Mr. Woodgate says that diversities exist in the Catholic Church, and these he ventures to compare with the differences which are found in his own communion. We have unbelieving and unworthy members, he says, but so also have the Catholics. Is it possible that Mr. Woodgate has not observed the great difference in the two cases; and if he has observed it, is it ingenuous not to have taken notice of it? Unquestionably there are differences of opinion amongst Catholics on matters in which the Church has decreed nothing as *de fide*. Unquestionably there are unbelieving and unworthy members of the Catholic Church. So far we do not conceive that there can have been any Catholic so foolish and uninformed as to find any contrasts between his Church and the Church of England, or any other religious community. But we will tell Mr. Woodgate what cannot be found in the Catholic Church, and yet may be abundantly found in his "Branch;"—the authorised teaching of error on matters which the Church has declared to be necessary to be believed. Can Mr. Woodgate deny that there are persons in the Anglican Church, as much authorised to teach as himself, with precisely the same powers, and with whom he communicates *in sacris*, whose teaching he deems *essentially erroneous* on Baptism, on the Holy Eucharist, on sacramental grace generally, on apostolical succession, on justification and remission of sin? Now we assure him that he will not find any real divergence of teaching in the Catholic Church on these subjects, or on any other on

which the Church has put her seal as necessary to be believed. Let him go through the length and breath of the Catholic world, and if he can find a single priest who denies baptismal regeneration, or the real Presence, or any other truth on which the Church has so pronounced, we undertake on our part to procure a sentence which shall silence that priest until he has learned his duty better. How can Mr. Woodgate have failed to notice this distinction, and blame the Church forsooth because she does not deprive even of the name of Catholic every one who does not live according to her laws? Mr. Woodgate will pardon us for saying that he is not exactly in the position in which he can teach the Church how to exercise her discipline, and that it is no very unreasonable presumption that she is as likely as he is to form a correct judgment on the matter. In the mean while it may perhaps ease his mind to learn that the Church requires every one to confess and receive absolution before she gives Holy Communion; and that such absolution is never given without a profession of sincere repentance and an entire renunciation of all sin.

One word we must add on the *character* of Mr. Woodgate's general argument, for which we can find no gentler term than that of DETESTABLE. We have before had occasion to complain of this line of attack, and we really wonder that any respectable Protestant can bring himself to adopt it. We cannot but liken it to the attempt, in material warfare, to poison the wells, or to blow up a magazine which would at once involve the assailants and the assailed in a common destruction. We thought that it had become an admitted principle that the *Tu quoque* argument in morals is a most licentious method of meeting an adversary. Yet Mr. Woodgate adopts it to its full extent. Suppose his argument to be as well founded, as we have shewn it to be the very reverse, what, after all, does it amount to? No more than this; We Protestants admit that we are a very bad set, but Roman Catholics are as bad or worse. And all this in the sight of the avowed infidel and blasphemer. Mr. Woodgate admits the Roman Church to be a "branch" of the true Church. We suppose that he professes to stand to the Church in the relationship of a son to a mother; and he does his best to blacken the character of that mother, or a part of his mother—his own strange theory is responsible for the

strangeness of the expression. Here are some sad blemishes on my mother, but that they may not seem so very bad, I will expose to light some others in her still worse. 'It is the act of Ham. We want no concealments. We want only truth, and it is certain that nothing but truth is required to bring forth the true Church in all the attractiveness of purity and beauty. Mr. Woodgate avows himself the accuser—we must call him the calumniator—of that which he acknowledges to be at least a portion of the very body to which he professes reverence. Let him, if he can, reconcile his acts with his professed principles.

Perhaps he will retort that Catholics have not spared the Church of England. But here lies the great difference;—we do not recognize his Church as a Church at all. Mr. Woodgate can no more expect us to speak from his principles, than we can expect him to speak from ours. Let him judge us as his Church's homilies do, as sunk into one mass of idolatry, as having no pretensions to the name of a Church, and however we might lament his still greater aberration from the truth, we could not charge him with filial irreverence and inconsistency. But to call the Roman Church a "branch" of the CHURCH, the spouse of Christ, for whom He gave Himself, the cherished One of His everlasting love; and then to blacken it with the charge of the most hateful crimes; to talk of its "Mariolatry," of its identifying itself with "unblushing vice," to believe every foolish or wicked story of it which weak and malignant men have invented; this is a course which we are sure we have not too severely censured under the name of DETESTABLE.\*

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\* A curious case of just retribution in adopting this line of attack (though of a less aggravated character than Mr. Woodgate's) has just occurred in a work of Dr. Pusey's. At the time of the Gorham decision, Dr. Pusey began to write a book, the object of which was to shew that the Erastian features of that case had been equalled if not surpassed by acts or submissions of the Church in former times, and hence that the Church of England was not fatally committed by that case. It was deeply grievous to see Dr. Pusey engage himself in such a line of argument, which might be characterized as an encouragement to the State to take liberties with the Church. But how remarkable has been the result! Something delayed the publication of Dr. Pusey's treatise! And now after seven years he confesses himself compelled to take the opposite tack and to turn his book into a warning against allowing the



We cannot conclude without noticing one feature of extreme unfairness in Mr. Woodgate's work. We mean, his entirely ignoring all that has been written in opposition to his views. Recent years have been somewhat prolific of treatises on the subjects of his remarks; and yet he writes as if they had no existence. We have already noticed his ignorance or obliviousness of Mr. Allies' excellent treatise on the Roman See. He treats in the same way the very telling Essays of Cardinal Wiseman, other numerous pamphlets, and some papers, we will venture to say not very easy to be answered, which from time to time have appeared in the *Dublin Review*.

Thus, for instance, Mr. Woodgate again and again uses the term "Church of our Baptism" as expressing a claim of allegiance which the Church of England has over her members; without noticing what has been said again and again to shew the essentially schismatical meaning of that term and of the sentiment which it expresses. The same may be said of the "branch theory;" and again on the theory of a stereotyped primitive Church, and the exercise of private judgment. All these points have received due attention from Catholic controversialists. And yet Mr. Woodgate deals with them as if they were new subjects,

too great interference of the State in matters ecclesiastical. Such is the progress of things in that fluctuating body called "the Church of England!" The following is the account of the matter given in the *Union*.

"The work (Dr. Pusey's) was begun at the time of the Gorham judgment, when the 'Lay element' and the meaning of the 'Royal Supremacy' were so continually being discussed. It was taken in hand in order to show that the Church in England had not conceded too much—more, that is, than was warranted by ancient precedents; but, from the rapid changes in these times, the author had to continue, or rather to reconstruct it with the view of '*shewing that those same times afforded no precedent for conceding more;*' but that 'matters of doctrine were always exclusively decided or attested by those whom the Apostles left to succeed to such portion of their office as uninspired men could discharge—the Bishops of the Universal Church.'"

This reads rather strangely considering that it was the doctrine of Baptismal Regeneration which was involved in the Gorham case, and decided by Her Majesty's Privy Council. We remember that *Punch* gave one of his comical representations of that body as "The Fathers of the Church assembled in Council." We know no higher authority for calling them "Bishops of the Universal Church."

and dogmatises upon them as if they were capable of no other interpretation than his own.

We must here pause. We are very sorry to have had occasion to express ourselves in a way which may give displeasure to Mr. Woodgate. As we have already said, knowing something of his antecedents, we had anticipated better things at his hands. What he has produced we scarcely think can increase his credit amongst his co-religionists, while in the eyes of Catholics he can only be regarded as increasing by one, the already numerous list of uncandid and calumnious opponents.

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ART. III.—1. *The Report of the Mayo Election Committee.* London, 1857.

2. *The Reports of the Irish Church Mission Society for 1856-7.* London, 1857.

3. *The Tablet.* Dublin, July, 1857.

4. *The Register,* London, July, 1857.

THE grand aim of the enemies of the Church is to brand and blacken the character of her clergy. In every age and every country, the chief weapon of her foes has been calumny, and their object not only to make her priests and her prelates odious to those who are without her fold, but to estrange from them the affections of their flocks. For this purpose they have always been eager to avail themselves of the jealousies and enmities which unhappily arise within her pale, to aggravate them by interposing as arbiters of disputes, and eagerly to seize any opportunities, in which malice or disappointed ambition might dispose her children to disobey the apostolic injunction and appeal to unbelievers to settle their quarrels with their clergy, or even to coerce their spiritual superiors by the arms of the civil power. It is an old policy, this. It led bad Catholics to sacrifice St. Thomas and support the Royal Supremacy. And it has found in our own times most powerful agencies in those political inquisitions,

select committees of the House of Commons. It is a policy which led to the Mortmain Committee. And it led to the Mayo Committee. It is the policy of Exeter Hall, and it is a policy which has always been favoured at Westminster.

There was a close, though occult, connection between the Mayo Committee and Exeter Hall. The leading counsel on behalf of the petitioner is a leading man in Exeter Hall. He is also one of the Committee of the "Irish Church Mission" Society, which rejoices in the patronage of the Earl of Roden and the Earl of Shaftesbury, the "Bishop" of Tuam, and Mr. Justice Jackson, and our old friends, Mr. Napier and Mr. G. A. Hamilton. Last year's report of the "Irish Church Mission Society" teems with a bigotry, blasphemy, and absurdity which goes beyond all conception; nor is this to be wondered at when we glance at the names of the "committee" under whose auspices it was drawn up. It is especially marked by bitter hatred of "Dr. M'Hale" and "Dr. Cullen," as those illustrious ecclesiastics are irreverently called, and informs us that they have "very recently been induced to concede to the people the publication of the Scriptures in English," while at the same time we are warned that this is only an apparent concession, for "that no Roman Catholic is allowed to read the Scriptures without the special permission of the Bishop."

The pious missionaries who have done such good in Ireland during the last few years, are called the "emissaries of Dr. M'Hale," a description of them, which, we venture to say will flatter that Most Rev. Prelate; but which in its phraseology rather reminds us of the frantic language used last session in the House of Lords by that Solomon, Lord Abinger, and that Solon the Marquis of Westmeath.

It is not then to be wondered at that the proceedings before the "Committee" on the Mayo election should have savoured of the spirit of this "Committee" of the Irish Church Mission. It was observed by a shrewd Protestant that the Counsel conducted the case very much in the spirit of Exeter Hall. He was right, however; for the promoters were of that spirit, and the expenses may have been paid out of the subscriptions of the bulk of the members of the "Committee" for "Missions" to the "Roman Catholics." The object also

was the same ; it was to cripple if possible the power of the clergy, and obstruct the progress of the Church in Ireland. The *means* resorted to were also the same ; unscrupulous calumny and truculent insolence. In the Report of the Irish Church Mission, and the Report of the Mayo Committee, the illustrious name of " Dr. M'Hale " will be found to have the same prominence, and to have been introduced in the same bitter and bigoted spirit. The " Committee of the Irish Church Mission " would gladly, if they could, drag up " Dr. M'Hale " before them, to be browbeaten and badgered, bullied and baited, but that is happily beyond their power. No matter. An election committee would afford the same opportunity, and a member of the Committee of the Irish Church Mission could be retained as counsel to conduct the proceedings. By this means the delights of the priest-hunting age could in some measure be revived, and an archbishop, if not murdered, might at least be reviled, insulted, and maligned. The rancour of baffled bigotry could thus wreak a miserable revenge upon the great prelate who for a good part of half a century had, under Providence, upheld the faith and piety of the West. The plot succeeded in a certain sense, but, oh, how it has recoiled upon its inventors ! They had the Archbishop, no doubt ; but they found too late that *he had them*. Not merely were they foiled in their scheme of implicating his Grace and his clergy in what they dared to call a conspiracy, but they gave the great Archbishop an opportunity, on a finer field and a loftier arena than he could otherwise have enjoyed, of vindicating the civil rights and the sacred character of the Catholic clergy.

It was quite in harmony with the tactics of Exeter Hall when the Counsel tried to mislead a Catholic prelate into bad casuistry ; and equally so when he sought with wretched taste to insinuate that the venerable prelate had tampered with his oath and paltered with the truth. Did not that same Counsel once make a speech at Exeter Hall in which he declared that Catholics were taught that they might swear falsely when it was in favour of their Church ? It seemed to us that the Counsel was acting as a member of the Committee of the Irish Church Mission, as much as if he had been sitting on the Committee at Exeter Hall. Not so however ; as in the one case he would have had Protestant supporters only ; whereas in the other he was the advocate of a *Catholic* ! but a *Catholic*

who could sit by silently sanctioning the bigotries of his counsel. It was an edifying spectacle. It is delightful to be "liberal" and "enlightened." It must have been pleasant for the secret promoters of the affair. Pleasant to Lord Shaftesbury, the spiritual director of the first minister; pleasant to Mr. Cowper, his step-son, and another of the Committee of the "Irish Church Missions;" pleasant to Messrs. Hayter and Horsman, who were so constantly in attendance, and had consultations with the petitioner's counsel; pleasant to most of the Committee, though they veiled their satisfaction under a thin disguise of courtesy. The tribunal on the whole was favourable for the purpose of the petition and its promoters. They were all supporters of Lord Palmerston, except Col. North, a gentleman of such violent prejudices against the priests, that they were betrayed continually in a manner almost amusing. There was Mr. Puller, a Hertfordshire member, a ministerialist, and associate of Mr. Cowper. There was Mr. Tomline, the nephew of a Protestant Bishop. No doubt Sir J. Hanmer and Mr. Scholefield were as fair as Protestants and Palmerstonians could be; the wonder is they were *so fair* as they were, although bystanders questioned the justice of some of their decisions, if not their intention to do justice. But the worst of prejudice is, that it is fatal to justice. And it is the business of the "Irish Church Mission," and all kindred societies, to keep up prejudice. That being so, the Counsel, who was a member of that society, was quite in his place before the Mayo Committee. Their object was to blacken the character of the Irish Catholic clergy. It is curious to see how similar is the tone and spirit of the "Irish Church Mission Report" to that of the petitioner's case. Thus the Report states "that attempts were made by the priests to stir up the passions of the people;" though a more candid "missioner" says that there were no violent measures, except that "occasionally a few boys and girls manifest their disapprobation by groaning, &c. in other respects much quiet prevails," which might serve for a description of the Mayo election. The priests, it appears, "complain that the missionaries" (of Mr. O'Malley, Mr. Cowper, and Lord Shaftesbury) "lay snares to catch the simple people, and so soon as the missionaries commence operations, the priest immediately sounds the trumpet of alarm from the altar;" here we see "altar denunciations,"

of which we heard so much before the Mayo Committee. The object of the promoters of that Committee was clearly akin to that of the Irish Church Mission Society. There is one sentence in the Report which has a curious significance. "We must not forget that Judas betrayed his master with a kiss." The framers of the "Report" apply this, in their own peculiar way, to the *Redemptorists*, as being emissaries of Dr. M'Hale. Whether it might not have a better application to some of the parties concerned in the Mayo Committee, we leave it to our readers to judge. But, oh! the fatuity of bigotry! That which was meant as a blow has been turned into a benefit. And the charge of "conspiracy" has resulted in a grand testimony for liberty.

In support of our view of the case it must be borne in mind that the counsel who was employed against Cardinal Wiseman in certain actions brought against him under the auspices of Exeter Hall, was now, with the able aid of Mr. O'Malley, enlisted to support the grand attack against the Archbishop of Tuam and his clergy. The charge was one of conspiracy. That is, a combination to effect a lawful object (for of course the return of Mr. Moore was lawful *per se*) by unlawful means; to wit, violence and intimidation. The indictment was contained in the petition of the unsuccessful candidate, Colonel Higgins. It charged the clergy with having *administered oaths* to the people, binding them to vote for Mr. Moore. It charged them with having *denounced from the altar* such as should vote against him. It charged them wholesale with the encouraging the people to acts of violence and outrage, and with the undue use of their sacred spiritual influence to coerce the electors to vote contrary to their consciences.

We cannot make it too plain that we altogether disclaim any intention to give any sanction or approbation direct or indirect to any undue priestly interference at elections. We deeply deplore the unhappy state of affairs in Ireland out of which the necessity for any interference of any priests has arisen; and we are well assured that many of those who appear most prominent in the ranks of clerical politics, cordially join with us in this feeling of regret. Much more earnestly do we repudiate the idea of justifying or even palliating the use of what are called "Altar denunciations," or the practice of investing with the solemn character of religion the struggle for rights and principles,



which, however just in themselves, are yet clearly separable from that sacred cause. We shall not however enter into these general questions. We propose to confine ourselves exclusively to the case now before us, and to show, by a comparison of the facts elicited in evidence before the committee, with the allegations made by the accusers of the priestly party, and reiterated since the Report without a hint of doubt or uncertainty, the habitual injustice of the public mind of England in all that concerns Catholics, or Catholic interests, and its readiness to accept as certain any charge, no matter how entirely unsustained. In truth, so far as we may have any bias in our conduct of the inquiry, it is against the politics of Mr. Moore.

We may be sure that such a case as that of the Mayo Election would lose nothing in the hands of parties so prejudiced as the promoters of the Petition. Their leading Counsel accordingly opened their case in the most truculent manner. He said he was preferring a series of high crimes and misdemeanors against prelates and priests. He implicated not only the Archbishop, but the Bishops of the Province and their clergy. He charged the whole body of them with having entered into an organised conspiracy with Mr. Moore to compel the electors, by the *means stated*, to return Mr. Moore. And thus he proposed not merely to fix particular priests with the unlawful acts alleged, but to impute to the whole body of the prelates and priests, the discredit of those acts, by charging a conspiracy of which those acts were to be the means employed. Particular priests, as the Rev. Father Conway, and the Rev. Father Reynolds, were charged with particular acts of outrage; as heading mobs, and administering oaths, or uttering denunciations from the altar. But these were only the *overt acts* of the conspiracy which was charged; and which, it was alleged, made these not mere isolated acts of individuals, but the acts of the entire body of the priests and prelates.

This is the nature (said the counsel for the petition) of the crime of conspiracy. It fixes every party implicated in it with the responsibility of all the acts committed in pursuance of it. We accept the definition, which will have however, as we shall see, a very different *application* to what was intended. We shall see what was the conspiracy, and who were the conspirators. The petitioner

aimed the charge at the supporters of Mr. Moore. We shall show that it might more justly be applied to the Exeter Hall supporters of the petition. It was from policy not less than bigotry that they made the charge of conspiracy. They widened the range of their charge to suit the loose and weak character of their case. Isolated instances of violence will not avoid an election. The violence must be such as substantially affected the result. Rioting, even with bloodshed, has been held not to avoid an election, where the result has not been affected; and the member is not implicated. There was no chance of upsetting the election on such a ground. The cases were too strong and clear; the precedents too decisive. Their own evidence was that there never had been so quiet an election for Mayo. The Committee observed that the proportion of electors polled was *very great*. The majority was too large to be broken down by a few isolated instances. Even an Exeter Hall Committee must have some plausible pretext for unseating Mr. Moore. They could not have it, as the promoters of the petition perceived, merely on the score of riot or of violence. They resorted to the Corrupt Practices at Election Act. And there they found all they wanted. It was as though it had been passed to suit their purpose and to meet their case. *Perhaps it was*. Its easiness of adaptation, and the loose scope it allowed to expansiveness of construction and elasticity of conscience, made it invaluable; for it left all to mere opinion. That statute avoids an election at which the member has, *by his agents*, been guilty of "undue influence." The phrase "undue influence," is not merely large and loose, it is elastic and expansive, and capable of receiving a sound Protestant construction. Imagine a jury of Exeter Hall people empanelled to decide what "influence" on the part of "popish priests" was "undue!" The phrase is indeed an old one, and well known to the law. When Locke wrote of it, he instanced the use of the force or the influence of the State to govern returns of members: and Blackstone, citing Locke, gives two illustrations of undue influence in elections: the presence of the military, and the exercise of influence belonging to officials under Government. Curiously enough, the only instances of "undue influence" of the kind, which were elicited in the course of the Mayo Committee, were cases in which it were exercised in favour of the *petitioner* and

by the High Sheriff. The military were, it was in evidence, repeatedly called out without reason; and a stamp distributor was spoken to by the Sheriff to induce him to vote for Higgins. Undue influence, in such a sense, has a plain and intelligible import.

The phrase "undue influence" however, has been employed in a much wider and looser sense when applied to moral or spiritual influence, apart from any appeal to present interest or bodily apprehension. It is in this sense it is used when intended to denote such influence as avoids a will made to the prejudice of relations. It has been always understood to mean something unfair or improper; but of this it is obviously impossible to give any definition, and hence, in this sense, the phrase is almost arbitrary, and depends for its meaning on individual opinion. This has been often exemplified in cases of wills, under which Catholic clergymen have taken bequests for pious uses. In one case, Lord Hardwick defined undue influence to be good influence unfairly used; but this of course would leave it all open and uncertain what was an unfair use. In the case of General Yorke, who left his property to his groom, that eminent lawyer, Mr. Justice Chambre, said he hardly knew what undue influence was. In the case of *Middleton, v. Sherbern*, the late Lord Abinger said, "every man makes his will under some influence;" but he went on to argue himself into the belief that a priest's influence in favour of his Church must be undue. He said, "a confessor has the highest species of influence; and it may be fraudulently used." Here however, is the deliberate judgment of that distinguished judge: "Mere influence is not enough to set aside a will. All wills are made under some kind of influence; the influence of affection or attachment, which is perfectly legitimate. The question is as to the degree of influence. It must be such a *degree of influence as deprives the testator of the power of being the proper master of his own faculties*. I can conceive a case of a man of very strong mind" (query not of strong mind?) "being under the influence of such a superstitious terror, a delusion, as that he might think it necessary to his salvation, that he should give all his money to his priest or confessor." A lively exercise of imagination on the part of a very unimaginative lawyer. But nothing quickens the imaginative powers so much as prejudice. Yet on the whole

we do not quarrel with Lord Abinger's definition, however we may dislike his illustration. "If that were clearly established, and a jury found such a degree of delusion as to deprive a man of the exercise of his free judgment on what he was doing, it would be sufficient to destroy the will." Now this was a tolerably fair definition; and let it be observed what Lord Abinger took care to add, that in that case the priest was the confessor of the testator.

Taking "undue influence" then, when neither the exercise of force, nor of illicit and corrupt inducement, to be the exercise of such spiritual influence as deprives a man, through superstitious terror of the power of free judgment, what was it necessary to show in order to support the charge contained in the Mayo petition? That the priests, by denunciations from the altar, or by the administration of oaths, deprived voters of the power of exercising their judgment. And that they did this as agents of Mr. Moore, or in conspiracy with him. But as they clearly were not employed as his agents, it was necessary to prove him and them parties to a conspiracy to secure his return by the exercise of such undue influence. For a conspiracy means a combination to effect an object by unlawful means. And these were the unlawful means alleged to have been employed.

Now the fundamental defect, or rather the essential rottenness and worthlessness of the petitioner's case lay in this; that even assuming the overt acts charged on a few priests accused, there was not a vestige or trace of evidence to establish any conspiracy or preconceived combination, to carry the election by such means. Assuming everything alleged against the priests, it was consistent with the evidence that they were merely the casual results of the excitement of the moment; and not an atom of evidence was there that they were owing to any previous concert or arrangement.

It was, indeed, shown that the Archbishop, the Bishops, and some of the clergy, had agreed to support Mr. Moore and oppose Colonel Higgins. But as the latter himself had, in 1852, applied for and obtained the same support, it did not lie in his mouth to deny their right to support or oppose any candidate they pleased, by constitutional means. Their resolution to support Mr. Moore, could not be taken as implying unlawful means. Some of them were electors, and even as to such of them as were not,

the statesmen who oppose the Ballot, comprising the leading men of both parties, strenuously maintain the right of non-electors to exercise moral influence over the electors. It is one of their great arguments against the Ballot that it would tend to remove the electors from this moral control. For the Bishops and clergy then to declare their intention to support a candidate, and exhort the electors to do so, as it was in itself a perfectly constitutional act, so it could not imply an intention to act unlawfully. Nor was the evidence merely negative. The Archbishop had issued a Pastoral on the eve of the election, denouncing violence, and inculcating peace. And, as to Mr. Moore, he stated that he had made no previous arrangement with the Bishops or clergy; and relying on their support, and certain of his re-election, did not enter the county until the day of nomination. Assuming then, the improper acts alleged, and assuming that all the Bishops and clergy had agreed to support Mr. Moore, where was the evidence of a conspiracy between the Archbishop and Bishops, the clergy and Mr. Moore, to return him by such means?

Without such evidence of conspiracy, he would not be liable for any acts of priests; for the statute required that the undue influence should be exercised by him, or by his agents. And the priests were not his agents by actual employment, as a fact. If they were so at all, it could only be by that species of implied agency which results from a conspiracy; which makes each conspirator the agent of all the rest. If there was no conspiracy there was no agency. And where was the conspiracy? That is, where was the previous concert between all the parties, Bishops, priests, and candidate, to carry his election by undue influence; that is, by spiritual menaces, and superstitious terrors? There was not an atom of evidence of anything approaching to it.

There was no evidence of anything at all amounting to any previous concert as to the mode of acting, lawful or unlawful. There was no evidence of any previous agreement, except to support Mr. Moore. There was no evidence of any previous act, except the issuing of the Archbishop's Pastoral in favour of peace. The case of the petitioner, therefore, amounted to this, even assuming it to be true. There were one or two instances of undue influence on the part of the priests; there was a general

agreement among the clergy to support Mr. Moore; ergo there was a conspiracy to do so by means of undue influence. Is it not monstrous that a committee should have gravely sat to listen to such a case?

It would not, however, be doing justice to the petitioner's counsel (among whom we may almost include the most active of the members of the Committee) if we did not mention the mode in which they attempted to bolster up their case, and cure this essential vice in it. Having done what they could to prove instances of undue influence on the part of certain priests, they then called the Archbishop of Tuam, in the hope of being enabled to extract from his Grace evidence to implicate himself and his clergy in a conspiracy, of which these instances might then be taken as the overt acts. And as they knew they could not tax his Grace with any previous concert, to give a colour to such a charge, they sought to prop it up by some loose suggestions of a subsequent ratification, to be inferred from the absence of any express repudiation or reprehension. This of course implied that his Grace was aware of such conduct having taken place on the part of any of his clergy. But he could not be aware of it if it never occurred. And his answer, as we shall see, was that it had never been brought to his knowledge. Everything, therefore, entirely depended on the degree in which the alleged acts of improper influence had been established. And how had it been attempted to establish them? and what did the evidence amount to?

The petitioner's counsel charged that *several priests* denounced Colonel Higgins and his supporters from the altar; and particularly mentioned two cases by name. The Rev. Father Conway, he said, had not only at Ballinrobe denounced Colonel Higgins from the altar, but put himself at the head of an excited and furious mob, which attacked the voters, and had locked up voters in his house who were supporters of the Colonel, and who were taken to the poll and compelled to vote for Moore, and others he had sworn on the Breviary(!) not to vote for Higgins. In Claremorris he stated that the people, *while at mass, rushed out, with the Rev. Father Reynolds at their head, and cruelly used the voters.* Now will the reader believe that in support of this grave charge against Father Reynolds, *not an atom of evidence was offered:*



This is an instance of the reckless and unscrupulous manner in which these charges were made.

Against the Rev. Father Ryan, however, there was a charge similar to that against Father Conway, and these are the two priests who are now singled out for prosecution. These, then, were the two great cases. And what did they amount to? Let us see. But before we do so it is necessary to consider for a moment the peculiar position of the county voters in Ireland. For the most part they are Catholics, and they are tenant farmers. It is not to be doubted that their wishes must be in favour of him they fancy the most earnest champion of their own Church and of their own cause; and on this occasion, certainly, Mr. Moore was the independent candidate, his opponent being the representative of the government and of the landlords. No one can seriously question that in such a case the real wishes and sympathies of the tenants would be in favour of the popular candidate. But, as tenants, they are in the power of their landlords. This is the effect of their mutual relations. And it is far more powerful than it would be in England, where, at all events, there is no such difference of religion between landlords and tenants, as for the most part exists in Ireland, and where the most illiberal party-policy never assumes the aspect of an antagonism to the faith and worship, the eternal not less than the temporal interests of the tenantry. The state of things in Ireland, therefore, is altogether abnormal. For the tenantry on the one hand, are in spirit and in feeling, in most violent antagonism to their landlords, and, on the other hand, are to a great extent in their power. The result is peculiar; the Irish voters are as much as possible cooped up and carried to the poll by their landlords, to prevent their being encouraged by non-electors to assert their liberty; and the voters themselves, earnestly desiring to be rescued from this thralldom, without, if possible, openly breaking with their landlords, look out for, and are glad of the least appearance of violence or coercion upon them, which may afford them a pretext for exercising, on the score of compulsion, their voting in favour of the candidate who has their secret sympathies. And those who support the popular candidate, often in order to protect the voters from the agents or the influence of the landlords, collect them together in small parties, and lock them up, not to prevent them going out, but with the double object

of affording them the desired excuse for not allowing themselves to be carried to the poll by their landlords; and of preventing the landlords' agents from getting at them for that purpose. Thus, the Irish voters are often obliged to practise a sort of double dealing in order to evade the coercion of their landlords: and, of course, when detected by their landlords, it may naturally happen in some instances that they are tempted to turn round upon those persons, priests, or others, who have afforded them protection under the guise of compulsion, and to impute to them, in order to excuse themselves to their landlords, the reality of a coercion which was in fact only assumed and collusive. Hence it happened, that most of the evidence before the Mayo Committee partook of that peculiarly perilous character, that often, while true in its literal terms, it was false in its real effect, and its art and wickedness lay in withholding that which would give the facts their true colour. And, again, it explains the indignation of priests and people, at seeing groups of voters carried up to the poll by the landlords' agents, well knowing that every man is voting under compulsion and against his own wishes and convictions. It also accounts for that which is very usual in Ireland, landlords' agents taking voters to the poll under military escort, the real meaning of which is, that it is to prevent the people from rescuing the voters and setting them at liberty to vote as they please.

Now, with these remarks let us look at the evidence as regards the Rev. Father Conway's conduct at Ballinrobe. We do not write as the apologists of Father Conway, nor are we to be regarded either as adopting his views or as defending all the various proceedings into which, in the excitement of an election contest, he may possibly have been betrayed. Some of these matters are beyond our knowledge; on others, our sympathies are far from falling in with the opinions of Father Conway; but they are all beside our purpose. That purpose, we repeat, is not to deal with the case of Father Conway as *it may have been in itself*, but with his case as it *appeared in evidence before the Committee*.

It appears then that one Rutledge was taking some voters to the poll with a military escort; we use the very language of the witness Prendergast, a retired attorney, who doubtless, as well as Rutledge, was a landlords' agent. Well, the people were very naturally excited. But, what about Mr.

Conway? All the witnesses for the petitioner stated he was there. But what was he doing or saying? Prendergast swore that he heard him say, (in *Irish*), "May the curse of God be upon any man who voted for Higgins." Joseph Burke, a supporter of Colonel Higgins, stated he saw Mr. Conway "on a wall," "putting his hand to a stone." Mark, on cross-examination the witness said, "he did not take it up;" and it is consistent with the terms employed, that the priest merely put his hand on a stone in getting upon or holding on the wall; while the impression conveyed by the witness before he was exposed to the crucible of cross-examination, was that he was going to throw the stone. Letting that pass, this witness stated that he heard Father Conway speak, but did not hear what he said. Now, come to a more important witness, Conor, a police constable, he states that he heard Father Conway say to the people, "Don't violate the law;" which may have been the reason why Joseph Burke could not state what he said. So far as this part of the evidence is concerned, the case against Father Conway rested *entirely on the testimony of the retired attorney, which is inconsistent with the evidence of another and more important witness, the police officer*, and is in no way supported by the third witness. We may add that all the party of voters were carried up to the poll for Higgins.

Now, take another scene, that of the violence supposed to have been done to old Mr. Burke. This was just outside the town, on the same day. Mr. John Burke, the old gentleman's son, and the brother of Joseph Burke, the witness above referred to, stated that the mob seized his father—that the Rev. Father Conway was among them, and that when appealed to by the witness, he said, "I cannot prevent it." The witness, however, went on to state, that after his father had been ill-treated, "Conway took my father out of the hands of the mob, and placed him on a car." The witness added, "I have no doubt that Conway had power to control the mob. I said that he ought to let us go home. He said, 'I will take care of you.' My father asked the mob what they wanted with him? and they said, 'Not to vote for Higgins.' Conway said it would be folly to go into the town, even with an escort. My father said, 'Let me go home, and I will not vote for Higgins.' Conway then said to the mob, 'Well, let him go home boys, he has promised not to vote for

Higgins.' " Cross examined, the witness was obliged to admit that his father promised this *without Conway's suggesting it*; and that he took his father a good distance home in a car, and *shook hands with father and son on parting*. Now, is it not clear what was the truth of the matter? The mob were in an excited state; the priest did his utmost to screen the two voters from their violence; ultimately rescued them, and saw them in safety on their way home. And his reward was, that the very men he had rescued, afterwards came forward to give evidence which has branded his character (among those who know him not, or who either want the ability or the impartiality narrowly to scan the evidence) as an abettor of violence and outrage.

But then there was the evidence of Mr. French, as to what Father Conway is supposed to have said in the chapel on a Sunday. "After eulogizing Mr. Moore, he said, but as for Higgins he is the most consummate scoundrel that ever lived. He has deceived you on every point—every promise he has made he broke. He has sold his country, his body, his soul, and yet he now has the presumption to ask your support. The curse of God will follow every man who gives it to him." "This," said the witness, "was spoken immediately after the communion, and before the mass was concluded." Now, is this true? As to its *probability* we need say nothing, our readers can judge. It was contradicted in all that was material, by Mr. Martin, a magistrate of twenty-five years standing, whose evidence we give entire.

"I live within three miles of Ballinrobe, where I attend chapel, being a Roman Catholic. Father Conway usually officiates. On the day before the polling I was present, and he spoke from the altar to the flock of the coming election. He read the Bishop's Pastoral. He asked the people to pay attention to the recommendation of the Bishop, that the town was filled with police and military, who were commanded by persons hostile to the people. He spoke of the magistrates, and he added that if there were anything like turmoil these men would only be too happy to have an opportunity of shooting the people. I did not hear him call Higgins a 'consummate scoundrel.' He spoke in English, but he said a few words in Irish. I speak that language. He certainly said that he (Colonel Higgins) sold his country. He began to speak of Catholic landlords, who locked up their tenants, and did not let them go to Mass that day, and he hoped the curse of God would

not come down upon them for so doing." In answer to Sir J. Hammer:—"Did he make a similar observation as to the people voting for Colonel Higgins? Well, I think not; there is something floating in my recollection; but I am sure it applied to the landlords for not having let the people go to Mass." The witness added:—"I hated and detested altar denunciation from what occurred on former occasions, and therefore I paid most particular attention to it."

The witness was severely cross-examined by Mr. James, and candidly allowed that he could not undertake to give the precise expressions used; but we will make it clear from other evidence for the petitioner, from the evidence of the petitioner's own agent, that what Father Conway referred to in using the words about the curse of God was, "the leading the voters to commit mortal sin, by neglecting to attend mass on Sunday." Mr. Griffin, an attorney, agent for Colonel Higgins, stated that on this same Sunday, the 5th of April, there were voters at an hotel, tenants of Lady De Clifford, a supporter of the Colonel. It is sufficiently clear what they were there for, and that they were cooped, for the witness stated that Father Conway came there asking them to go to mass. "I (said the witness) told him it was a mere pretext!" We should state that Mr. Griffin professes to be a Catholic. This answer did not satisfy the priest, who still urged the voters to come to mass; whereupon this Catholic gentleman told the priest he was a trespasser, warned him to be off, and actually threatened an appeal to a magistrate. "Before I could get rid of Conway I had to go to a magistrate, and in consequence of his remonstrances Conway went away." Now, after this, have our readers any doubt that Mr. Martin's version of Father Conway's observations is the correct one, and that he denounced God's anger against those who for their own purposes, led the people into mortal sin and kept them from attending the adorable sacrifice on Sunday? We may add, that it appeared from more than one of the witnesses, that since they had been seduced away by the landlords' agents, they had ceased attending mass altogether; one man said he had not been to mass since the election.

Well, now, we have gone through the whole of the evidence as regards Father Conway, at least so far as regards anything unlawful; for we will not condescend to review the frivolous charges as to his having been noisy in the court-

house, or active in canvassing; all this (if true) was perfectly immaterial; we have confined ourselves to the evidence on the grave charge of undue influence. How say you, reader, guilty, or not guilty? was it the fact that the reverend gentleman had denounced from the altar those who merely voted for Higgins? Was it the fact that he (to use the language of one of their Counsel) hounded on the mob to violence and outrage? or is not the truth rather thus, that while zealous on behalf of what he deemed the right candidate and the good cause, (as he had a right to be), and also zealous for God's glory, (as he was bound to be), he was also anxious to prevent violence or outrage on the one side, or illegal coercion on the other?

Next as to the Rev. Father Ryan, the other of the two priests selected for prosecution by the House of Commons. His was the other of the two cases singled out as illustrating the system of "undue influence" pursued by the Mayo priests. What does it come to? One M'Laughlan, a *Catholic*, stated that he had attended chapel at Kilmena, an archbishop's parish, where the Rev. Luke Ryan was the archbishop's administrator, and on Sunday, the 22nd March, the priest read from the altar a list of all the freeholders in the parish, commenting on every name, and applying such epithets as "traitor," "black-leg," and "black-sheep," to every one likely to vote for Higgins. He said Higgins had sold his country, and added, "if the devil himself came up, I would sooner vote for him than for Higgins." He struck the altar with his hands as he said this.

"Sunday the 29th of March, he (witness) said I was again at Mass at the chapel at Kilmena, when Father Ryan said the curse of God would come on any one who voted against his country and for Higgins. He also said that he would not give the rites of the church to any one who so voted; that he would neither give them confession nor the Sacrament, but they should go to the Archbishop. He added that it was the Archbishop's own parish, and the Archbishop expected them to do their duty. He further desired that the parishioners generally would keep their eyes on the freeholders, and said that he would brand the voters of Higgins, and he hoped the congregation would not speak to them. On the following Sunday, the 5th of April, the day before the polling, Father Ryan asked the congregation whether the Derby Priest (i. e., one of the Plymouth brethren) had given Mass to Higgins's voters who had been taken to Newport, and



called upon the wives and daughters of those voters to go and bring them back. Father Ryan was at Castlebar; he stood at the booth and shook his hand at Higgins's voters as they went up to poll, and called them "traitors." On the Sunday after the election, Father Ryan desired those black sheep who had voted for Higgins not to dare to give him any Easter dues. On the following Sunday he mentioned the name of a voter who had supported Higgins, and said he should not attend that Mass-house. On Sunday, June 14, he said also in the chapel that there were three spies, or jackdaws, watching him, and taking down everything he said, and that some one had been served with a Speaker's warrant to give evidence against him. He cautioned the people against committing perjury, adding that he was afraid any one going such a distance would not stop at an oath; but he was out of their power, having said nothing of any consequence before the election."

We here give the Times report:

"On cross-examination, the witness said he had gone to the chapel on every Sunday from the 15th of March until the time of his leaving Ireland. The witness said he had made notes of what he had heard at the chapel. He was subjected (said the *Register*) to a long cross-examination on this point: the whole of which was omitted in the *Times* report: and in which the witness hesitated for ten minutes as to whether he had taken notes, and of what: and what he had done with them," &c., &c.\*

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\* We may here quote the following from the *Register*:—"We have hitherto delayed giving any report of the proceedings before the Committee, because we desired to wait to see how far the wholesale accusations made in the opening speech for the petitioner were at all sustained in the evidence: and also how far the evidence for the petition appeared worthy of credibility. We thought it best to take this course before giving currency to the most serious charges against a large body of the Catholic Clergy, while those charges rested on *ex parte* statements. We have, meantime, secured the services of a barrister, experienced as a reporter in Courts of Justice, and Election Committees, to watch the evidence carefully, and also to watch the reports which appeared of it in the daily press. That gentleman assures us that up to the present time (nearly the close of the petitioner's case) the evidence by no means supports the statements made in the opening of the petitioner's case, and that the evidence has been to a great extent unworthy of credibility, and broke down on cross examination. Moreover, he assures us that the reports which have appeared in the daily papers, of the evidence for the petitioner, have been most unfair, the most damaging cross-examination being suppressed." To those who

Such, then, was the statement of M'Laughlin. And it *formed the whole of the evidence against Father Ryan*. That is our first observation. In the next place, it is apparent upon the face of this evidence (from a passage we have marked in it,) that, what Father Ryan was denouncing at the altar on the Sunday, the 5th April, was the *keeping "cooped" voters from going to mass* on that day. Then, as to his alleged threat to withhold the sacraments from those who voted for Higgins,—do our readers believe it? We will give two or three good reasons for disbelieving it. First, only one person, and he a partisan of Higgins, was called to prove it: out of all the multitude who must have heard it, if it had been said, and that solitary witness hesitated so much as to whether he had taken any notes at the time, or whether he had any notes, and if so, what they were, and where they were, and why they were not in his pocket, and whether they supported his statement, that the gentleman who attended to watch the case for the *Register*, felt it impossible to place confidence in the evidence, and the *Times* thought it prudent to *suppress* the cross-examination. And then, further, there is this reason to disbelieve the evidence as to the alleged "altar denunciations" of Father Conway or Father Ryan, that it appeared from the Archbishop himself, that the supporters of Colonel Higgins (himself a Catholic) had never complained to his Grace of that conduct, which Catholics were brought forward to prove against Catholic priests. Surely this is of itself sufficient to stamp the petitioner's case with suspicion, even as regards its *credibility*. For had he offered to prove these alleged altar denunciations, (of which, as we shall see his Grace declared that he disapproved,) whether the Archbishop heard the charges or not (and who can doubt that he would have heard them, and far more fairly than the Committee heard them,) the petitioner's case would have been strengthened; supposing the charges true; for, if proved, and followed, as they would have been (so the Archbishop himself declared) by condign reprehension, the petitioner's case against the clergy would have been conclusively established; and if, having been

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have derived their idea of the case from the *Times*' report, this is very important,—we may add that the writer of this article heard the evidence before the Committee.

proved, the Archbishop had refused to reprehend the priests implicated, then the petitioner's case would have been most serious against his Grace. Why then was his Grace not appealed to? Obviously because it was known that false charges would be sifted and fairly tried, and that any misconduct on the part of the priests would be disclaimed and disapproved of by the Archbishop. And the promoters of the petition desired to deprive the accused priests of the benefit of a fair trial, and to deprive the Archbishop of the credit of giving it; and they proposed to rest their case on the feeblest evidence, relying on the *prejudices* of the Committee to eke out an unproved case.

Let it be observed that there was strong general evidence in favour of the accused clergymen. Thus, Colonel Moore, Sir R. Blosse, and Lord J. Browne, all Protestants, who had been at Ballinrobe, declared that they saw nothing in the conduct of the Catholic clergy violent or intimidating, and they stated this particularly of Father Conway. Thus, then, all the impartial evidence was in favour of the accused priests; the particular evidence against them, was of solitary witnesses, evidence partial, suspicious, and unsupported.

We have concentrated attention on the cases of Father Conway and Father Ryan, because they were the only cases considered by the Committee worth selecting for prosecution. They are therefore deemed the strong cases. If they break down, and turn out to be worthless, we may easily judge of the rest.

Nevertheless, of the rest we will just give a specimen or two to let our readers judge what *rubbish* they were. One Moran and two other voters, called Tighe and Langdon, swore that, while being taken to the poll, with other voters, on cars, escorted by dragoons, being met by Father Conway and a mob, they the witnesses got off the cars, and were running away, when the mob took them, and put them in Mr. Conway's kitchen! The witnesses all stated, however, that they got away again, and voted for Moore and *Higgins*. And when asked by the priest to plump for Moore, the answer is remarkable, "*We must vote for our master!*" Not asserting that they wished to vote for Higgins, not asserting any opinion of their own, but only their landlords. Now, is it not obvious that the simple explanation of this recital we have already suggested, that

the sympathies of the small tenantry were with the popular candidate, but that they feared to vote against their landlords, and thus were glad of the least appearance of violence to run away from the protection (?) of their escort, and rejoiced at a little pretended compulsion, to excuse themselves to their landlords for exercising to any extent their freedom of opinion? These men were being brought up to plump for Higgins. They took the first opportunity of running away from the armed escort. They allowed themselves very readily to be put in the priest's kitchen, for security from the landlords' agents, went away when they pleased, and were extremely happy to compound between their consciences and their interests, by voting for Moore and Higgins. A similar case was that of Connor, who swore that the Rev. Mr. Cahill threatened him that if he did not vote for Moore he would be denounced. What did the voter say? That he must vote with his landlord, and that if he were denounced by the priest he would "take an action against him." As a case of intimidation was not this absurd? unless indeed it was intimidation on the priest. Is it not ridiculous to talk of "undue influence" exercised to induce a man to vote in accordance with his own opinion and feeling?

For there lay the radical vice of the petitioner's case. Assuming all that he *tried* to prove, and even all that he *said* he would prove, what did it come to but this, that the priests tried to induce the electors to vote in accordance with their own opinions? In other words the priests were trying to lead the people to exercise their *own free will*. Is it not absurd to call that undue influence? It was their landlord's influence which was "undue." They were coercing their tenants, cooping them up, and carrying them to the poll in charge of their agents, and with military escort, under the pretence, forsooth, of protecting them from the mob, the truth being that what the mob wanted to do was to *liberate* the voters from this improper control, and set them free to vote as they pleased; and the voters, it is clear, were eager to seize any opportunity of running away from the protection of the escort, and as far as they *dared*, voting in accordance with their own views. They did not dare to plump for Moore. They would not, when free, plump for Higgins. They split their votes between them, giving (as one of them said) one vote to their landlords, the other to their country. This was the

expression made use of by one of the witnesses; and we say it affords the best explanation of the history of the election, and of every Irish county election.

Now, then, the petitioner's counsel had here exhausted all their evidence of overt acts; and, (recollecting that the county of Mayo has about *eighty* priests,) it is remarkable that serious charges were attempted to be sustained against only two or three of them, that scarce half-a-dozen were alleged to have misconducted themselves at all, and that the evidence in their cases was of the most slight and slender, and we will add, the most suspicious character: having, however, exhausted the evidence of overt acts the petitioner's counsel, in order—we will not say to prove their pretended charge of conspiracy, for that they never could have really contemplated—but to envelope the case in a cloud of prejudice, insinuation, and invective, had the temerity to call the Archbishop of Tuam. We say the *temerity*, for they could have had no idea of really supporting their case by his evidence, but hoped to gratify the Protestant predilections of the Committee, by the exhibition of a Catholic archbishop exposed to their searching investigation.

A very great portion of the Archbishop's examination was devoted to the subject of the resolution to support Mr. Moore, which, as it meant a lawful and legitimate support, was purely immaterial. Then, with great art, assuming that the alleged acts of undue influence had been proved, his Grace was asked if he had not the power of suspending or censuring priests. Of course, said his Grace, for just cause. "*Suppose* a priest was convicted of causing a riot, would you have the power of suspending him?" "Yes, certainly." "*Suppose* it was proved. They tried to drag the Archbishop, either into some recognition of the undue influence alleged, or some responsibility for his not having uttered any reprehension of it.

"Have the Priests canonically the right to read out petitions from the altar without the interference of the Bishop or Archbishop? Have they a right? A great deal depends on their own discretion, and will and must to the end of time.

"Have you a right, canonically, to suspend a Priest who has denounced a candidate from the altar? I should have all the circumstances before me.

"Have you the right, all the circumstances being laid before you, and you being convinced of the fact, to suspend a Priest who

had denounced a candidate from the altar? What do you mean by denounced?

"Mr. JAMES (reading from the evidence as to Father Ryan): What would you call this, said by a Priest at the altar, standing in his vestments—'The curse of God come down on any one voting against his country and his country's cause, and voting for Colonel Higgins would be doing so.' What would you call that? Do you wish to have my opinion on it?

"I ask, do you call it a denunciation? I will give my opinion on it when I find the case come before me.

"It is before you now? No; there is an assumption of truth there which remains to be proved.

"Well, supposing it to be true, and supposing the Rev. Mr. Ryan does not contradict it? You must consider my position, that I am here as a witness, and that case, or a similar case, may come before me in my judicial capacity hereafter. Of the truth or falsehood of that I know nothing; and as it is inconvenient for a person to give an opinion in one capacity which may compromise him in another, I must beg leave to decline giving an answer except in a general way, that such conduct would be reprehensible, and I should not like it.

"If those facts were proved, would you suspend a Priest? I will answer that when all the circumstances come before me.

"Do you call that a denunciation from the altar or not? This I will tell you as my opinion, that it is prohibited by our rules and statutes to denounce any person from the altar for any cause; and I will also add that I would be as unwilling, and would regret as much, that a person should be denounced in his political capacity as any other. It is not right that a person should be denounced by name from the altar.

"Has it come to your knowledge that Colonel Higgins had been denounced from the altar in many of your chapels that day? No it has not in my official capacity.

"Has it come to your knowledge as 'John M'Hale'? It may have been bruited about in conversation or mentioned in the newspapers, but it was not laid before me in my judicial capacity.

"Has it come to your knowledge as 'John M'Hale'? Not in any way that I should take cognisance of it. I have not suspended any Priest since the election. No complaint has been made to me. When any one makes one, I shall investigate it, and judge also impartially; but I have no notion of listening to mere rumour, or to the statements that may have been made here.

"Has not Mr. French complained to you of the Rev. Mr. Ryan's conduct at the altar? No, he did not. He did not complain of any Priest at the altar. He made a *complaint*, but not of a Priest at the altar."

We entreat our readers to observe that Mr. James did



*not pursue the enquiry* as to what *was* the complaint; but it is clear that it was *not* the complaint made before the Committee.

"Did you hear the Rev. Luke Ryan state from his altar that he would not give those who voted for Colonel Higgins Confession or the Sacrament—that they should go to the Bishop? I hear it now from you.

"Before? *Not till I read it here in London in the papers.* He is my Administrator, but there is no telegraphic communication between us, and his parish is thirty-six miles from me. I have not been in his parish since the election."

Thus, then, the attempt either to lead the Archbishop to express approval of "altar denunciations," or to tax him with blame for not having expressed his disapproval of them, entirely failed. For, while his Grace most distinctly declared his disapproval of them, he also stated that he had never been informed of them,—no complaint had been made to him of them;—he had but seen the stories in the newspapers: of the nature of these his Grace was well aware, and our readers can easily appreciate them, after having seen the worthlessness even of the sworn evidence adduced. The Catholic promoters of the petition preferred appealing to an Exeter Hall Committee rather than to their own Archbishop. And instead of bringing before him any complaints they might have had (but which they had not) against the conduct of any of his clergy, they resorted to a tribunal, open to every prejudice, and inspired with the most hostile feelings towards their Church, and before which they exposed one of the most venerable of her prelates to an unworthy and offensive examination. Failing to elicit anything direct, his assailants sought to embroil his Grace with the Catholic laity, or involve him in discussion on general principles; but here again they were foiled, and the attempt resulted only in a testimony for liberty.

Observe the artfulness of the next question; how it reminds one of the way in which the scribes and lawyers sought to embroil our Lord with the people!

"Do you suppose that the whole body of the Roman Catholic gentlemen in Mayo voted for Colonel Higgins in the expectation of place? [See the art of the question.] It is my firm conviction that a good Catholic—a proprietor—would scarcely support any member of parliament who is opposed, practically opposed, to

getting tenant right for the freeholders, and *practically opposed to rescinding the Titles Act*, unless he expected place or patronage ; and further, if he did not, I know no reason in the world that would induce a Catholic proprietor to violate the freedom of the constitution in coercing a tenantry over whose votes he has no right whatever by the constitution ; and it is very extraordinary that a good Catholic on the eve of Sunday, Friday, or Saturday, should take away all his tenants to a town without the opportunity of hearing Mass : but when I find those persons violating *the laws of the Church* and of freedom, I am brought to the conclusion that nothing else but a sordid desire of patronage or pelf would prompt them to violate those obvious duties. (Applause in the committee-room.)

"Colonel North : Did it come to your knowledge that any of your Clergy had acted in the way you describe these gentlemen to have acted ?"

To this insinuation the Archbishop gave the following excellent answer.

"His Grace : My impression in regard to the coercion of the Catholic clergy is, that it is only the effect—as far as it is exercised—of the coercion of the gentry ; and if the gentry were not to violate the laws of the country and religion in forcing the conscience of the people, you never would hear of the interference of the clergy ; and in illustration I may refer you to what took place in Castlebar some ten or eleven years ago. I went to the election to propose one of the candidates, and there was a question of sacerdotal coercion, and I made a proposition, which I now repeat, and have at every election since—that a certain barrier be drawn round the hustings ; that the landlords, and bailiffs, and police, and priests, and bishops, if you will, should all retire and name the candidate, and let the voters come up and vote for whom they liked, and then it would be seen on whose side the coercion lay. (Laughter and applause.)

"Mr. O'Malley : Are those the conditions on which the Catholic clergy are willing to leave the voters free ? Indeed they are. At that election in Castlebar there was a man going to vote. He looked at a clergyman. The clergyman made no sign, and did nothing that could draw down on him the reprehension of any officer ; but the man saw the clergyman with the book in his hand, and when he went up on the table and was asked did he take a bribe, he declared that he had, and threw down on the table £2, and brought it over to me."

Mark the next question.

"Then the influence of the clergy is so great that the mere look made the man not vote?" Ans. "It made him refuse the bribe."

Observe what follows ;

"How did he vote—the *priests' way*? No, but for the man to whom in his conscience he gave a preference, and whom he was induced to abandon for a sordid bribe.

"You have spoken largely in that Pastoral about the rights of conscience as distinguished from the rights of rent? Yes.

"Who has the keeping of the peasant's conscience? The ministers of religion as far as he consults them.

"Then I understand the Pastoral by that answer. The meaning is, for the landlords to take the rent and leave the conscience of the voter to the priest? No; to leave it between himself and his God.

"And that is a right which I understand you openly and boldly to say you have a right of? What?

"Of influencing the conscience of the voter? No; but of leaving the conscience of the voter free.

"Well, that is to leave it subject to the influence of the ecclesiastical minister? Subject to the influence of religion.

"And the ministers? Yes, if they wished to consult the ministers, but the ministers will not coerce any one, nor should they.

"I understand you at all events to say that the influence which you have used is one which you are prepared to use always? Decidedly, because I am not conscious that I violated the laws of God or of the constitution. I reprehend violence—I reprehend fraud—and I reprehend intrigue even.

"Sir John Hanmer: Did your Grace intend to convey this impression, that you think the conscience of a man in civil matters ought to be in sacerdotal keeping? By no means.

"Sir John: I rather thought you meant that? No, I did not; but if a man chooses to consult a clergyman, and takes his advice, the result will then be a free vote.

"Sir John: But you did not mean that the clergyman had a prior right? Oh, by no means.

Mr. O'Malley: Do you mean to say that you do not think that the Roman Catholic peasantry ought to be guided by the clergymen? I gave my opinion that they ought to be guided by their own free will and conscience.

"Answer my question. Do you believe that the Roman Catholic peasantry ought to be guided by the clergymen in the votes which they give at an election? Your question is of a very captious kind.

"Mr. O'Malley repeated the question.

"His Grace: It is my principle that, like the Protestant peasantry, they are to follow the dictates of their own conscience.

"Answer my question.

"His Grace: If he is in doubt he cannot get a better adviser than his clergyman.

"Then, do you think he ought to be guided by the priest? No, unless in cases of doubt.

"Well, now you told us of some sort of legerdemain by which his conscience is to be—

"His Grace: I must appeal to the committee. This is most offensive, and I must refuse to answer questions so put.

"The Chairman: The Committee are of opinion that the last answer is sufficiently distinct and intelligible.

"Mr. O'Malley: I fail to see the distinctness.

"His Grace: When there is a mist before the eye it is very hard to see objects distinctly. (Laughter.)

"Colonel North: sarcastically, I think you object to the same man applying to his landlord in cases of doubt?

"His Grace: No, I did not; but (with great archness) I think he could not consult a worse casuist in cases of doubt than his landlord. (Roars of laughter.)"

His Grace went on to say:—

"There are instances where they are told that, having no leases they will be driven from their holdings unless they vote for the landlord; in that case peril and a sense of self-interest come in, and I think the prudence and humanity of a good clergyman should be exercised, and it would be very improper when he knew a poor man would so suffer to ask him to vote against his landlord; so that while he may advocate the general principles as regards the great mass of the electors, it would be wrong to ask a poor man where he knew the landlord would exercise inexorably his fancied rights and turn that man adrift on the world."

The counsel were now thoroughly baffled and sat down. One of the members now tried his hand.

"Mr. Puller: You mentioned you issued pastorals on former occasions. Did you ever dismiss or suspend any of your clergy for using coercion or misconduct at former elections?"

To this question, which implied that there had been such coercion or misconduct, his Grace replied, No:

"No complaints were ever made to me; and I can assure you that if one-half of what is here alleged were brought home to any clergyman, I would not fail, as I said before, to use all the authority with which I am invested to bring him to a sense of his duty, and save society from scandal."

The Archbishop's opinion on the general question was expressed as follows:

"Your Grace was asked whether you had been applied to by a gentleman who was a candidate; I assume you consider you have a right to express your own opinions in the county Mayo? Certainly,

and not only that, but I consider it my duty to do so, and I do express my opinions; I speak in public.

"And you express your opinion of the merits of one candidate, and, as far as you can judge, of the demerits of another? Not only that, but if an election were to occur to-morrow, I should deem it my duty to do the same thing, because I look on it as a question of morality, and not mere politics. I believe that the selecting worthy persons to fill important offices is a moral question, involving serious responsibilities with regard to the public weal, and there are no persons who have more important duties to perform than members of parliament—legislators. On the laws of a country depend very much the public weal and morality, and on the tone of the legislature and the principles of the persons who compose it may depend very much whether a country is to be governed by wise, sage, and beneficent laws, or whether it is to be afflicted with such a penal code as it was the misfortune of the Catholics of Ireland to be doomed to so long.

"I presume you are of opinion that your position in the Church does not prevent your exercising your civil rights? St. Paul was an Apostle, and that did not prevent him from exercising his rights as a Roman citizen, and there is no law in the Church or state that deprives me of any right as a citizen. Where I have a vote, I shall exercise it. I shall either propose, or not, according to circumstances. There have been some elections at which I did not assist, although I had a vote, for it was a matter of indifference to me who would win, believing them all to be equally worthy or worthless."

"But did you in any way sanction any violence on the part of any of the clergy within your diocese? With regard to that, I should almost think that, after I had written that Pastoral and issued it—and it was not a solitary one, for there was scarcely an election in the county of Mayo that I did not issue a Pastoral with such instructions to the clergy—that if any case of violence on the part of the clergy came before me, I should not fail to reprehend it and to correct it—nay, to punish them according to the measure of their delinquency or contumacy.

"Do I understand you to decline to say what your opinion would be, on any case that might hereafter be brought before you as head of your diocese?" "That petition of Colonel Higgins is fraught with so many, and such grave accusations, that if I hesitated to pronounce upon it, it is from the conviction I feel, from an intimate knowledge of the character of my clergy, that they would be incapable of such acts; and if they were capable of such acts, and they came before me, I should not fail to animadvert on their conduct in every way by which I am authorised by the canons of the Church. I, however, do not believe those accusations which have been brought against them, or rather, I believe that generally they are not true."

That the promoters of the Petition were conscious that they had miserably failed, and that they had broken down, was proved by two facts; first, immediately after the end of his Grace's examination, although they had announced that their evidence would last two more days, they *closed their case*; and next, in the *Times* of the following morning appeared an article in its usual truculent style, but with such an unscrupulous use of their iniquitous arts of mingled misrepresentation and vituperation, as clearly marked the bitterness of baffled malice. This shameless article was supported by a false and garbled report, which represented his Grace as having said that the consciences of the voters were in "the keeping of the ministers of religion;"—the very thing which Mr. O'Malley tried to put into the Archbishop's mouth, but which his Grace distinctly repudiated. Nevertheless, the *Times* represented that the Archbishop of Tuam maintained that the Irish electors were bound to vote as their priests pleased; and this enormous falsehood was, with their usual servile fidelity, copied and dilated upon by some London weekly journals, as the *Spectator*, and *Saturday Review*, and now forms part of the established Protestant prejudice, with regard to the Catholic clergy.

With reference to the question directly at issue before the Committee, the *Register* thus expressed the general opinion of "fair men of all parties:" "The charge before the Mayo Committee was, that the Archbishop had promoted the election of that candidate by unconstitutional means, and had degraded for that purpose the sacred offices of the Church. Fair men of all parties, Protestants included, now feel that this charge has wholly broken down." This was written *before the decision*. It follows, then, that, according to the opinion of our contemporary, the Committee was not composed of "fair men." For they unseated Mr. Moore, declaring that the charge was proved; that he had been by his agents guilty of "undue influence," although, they added, that he was not personally privy to it. They thus in effect affirmed that absurd and extravagant fiction of an organized conspiracy to carry the election by undue influence, which it was necessary to affirm in order to fix *Mr. Moore* with the alleged instances of undue influence. Our readers are able to judge whether there was an atom of evidence to sustain the charge of conspiracy, without which it is obvious no one could pre-



tend that there was any agency. Even as to the instances of undue influence alleged, we have seen how frail and frivolous was the case which was set up, and by what slight and suspicious evidence it was attempted to be sustained. But as to any conspiracy, any previous concert to carry the election by such means, we appeal to our readers whether there was a *pretence* for it. We rather presume they will agree in the remarks of the *Register* upon the decision.

"With regard to Mr. Moore, from whose political line we need not say we entirely dissent, we cannot but feel that the decision against him has been the result, not exactly of political or party bias, but of religious prejudice. There are none who object more strongly than Catholics to any violence or political intimidation on the part of the Catholic Clergy. The Committee attached undue weight to the evidence against two Priests. Even so, however, there is no reason to doubt the evidence of the highly respectable witnesses who spoke to the substantial freedom of the election. A contested election in Ireland is never a very orderly and quiet scene. The Legislature has abundant means of making it perfectly free and quiet if it will. It can authorise voting by ballot. The simple truth is that this is denied because it would lessen the power of the landlords. The object is to enable the landlord to compel his tenants to vote against their own will and conscience, and to prohibit the priest from urging them to vote according to them. This peculiar and limited notion of free election we can hardly expect to see quietly carried out. As long as men are forced by one party to violate their own sense of right they will be exhorted by the other party to respect it. We hope good from what has passed, not only as tending to prevent any real forgetfulness of the proprieties of their high calling by any individual priests, but as the strongest possible argument for the ballot. Of the conduct of Colonel Higgins and his agents we cannot trust ourselves to speak."

Nor can we. Our contemporary, on another occasion, said :

"A Catholic ought to have suffered any possible loss and inconvenience rather than have lodged such a petition, even if it should appear that one or two Priests had been betrayed into violent language. The Archbishop has deposed that altar denunciations for any cause are forbidden, and that he has never received from any quarter any complaint of their having been made. We are then driven to conclude that professed Catholics, believing their Priests to have broken the laws of the Church, preferred to complain, not to the rulers of the Church, but to the Protestant House of Commons."

That is the sentiment we have endeavoured to convey at the commencement of our article, and it is one in which we conceive all good Catholics will concur. It ought surely to be sufficient to make them concur in it, that the most bitter enemies of the Church desire nothing so ardently as to induce Catholics to accuse their priests or prelates before a Protestant tribunal. The great object of the promoters of the Mayo Committee was to secure this scandal, and in doing so they followed out the favourite policy of Exeter Hall. What cared they for Higgins or his return? That was the last matter they thought of; the least and lowest in their estimate of the advantages to be derived from the Committee. As a writer in the *Tablet* said, it was a conspiracy to brand and blacken the character of the Catholic clergy in Ireland. It miserably failed, indeed. But does that lessen the crime of those who promoted it? The results were all summed up by the *Tablet*.

"The Archbishop's participation in the electoral contest amounted just to this, that he drew up and signed a resolution calling on the freeholders to return a faithful representative, and to repudiate an unfaithful one—that he issued a Pastoral to his clergy, inculcating the rights and obligations of conscience, and earnestly recommending them to exhort their flocks to peacefulness and temperance, reminding them of the holy season at which they were called upon to discharge an exciting public duty; and finally, that he was willing to propose Mr. Moore at the hustings had he been legally competent to do so, but as his name had been accidentally left off the registry, he did not attend the nomination. He did not interfere with the free opinion of a single voter, clerical or lay. He not only did not instigate, or encourage, or countenance any sort of violence or intimidation, but he had most earnestly and eloquently warned all under his spiritual charge, landlords as well as tenants, against such improper and unchristian acts. Finally, when questioned about the denunciations and acts of intimidation attributed to two or three of his clergy, he very frankly expressed his utter disbelief of the statements that had been made, at the same time saying that if one-half of what had been stated was true, he would certainly use his authority for its correction. We have not the slightest doubt that the evidence, when completed, will fully bear out the Archbishop's opinion, and that it will be shown that the part taken by two or three of the most earnest and energetic of the clergy has been most grossly misrepresented; that not one-tenth of the statements made against them have any better foundation than the excited imaginations of the most violent partisans of the corruptionist fac-

tion, and that the very small portion of truth in the statements is capable of easy and satisfactory explanation."

We trust that we have amply sustained this statement. It is true that the priests in Mayo took an active part in promoting the return of Mr. Moore, as they have in other counties been active in promoting the return of candidates, in whom they had confidence; and as in Mayo, at the election of 1852, they were active on behalf of Colonel Higgins. This they had a right to do, subject to a control of their ecclesiastical superiors. For nothing is clearer than that in the Catholic view the conduct of the clergy is a matter for the cognizance of the Bishops and the Holy See. The *Register* remarks: "There is probably no one who likes to see Priests go out of their proper sphere and exercise tyranny so little as Catholics of all classes. And the best Catholics, though not the loudest, would be most deeply grieved to see them waste their energies upon politics, when there are souls to be saved or lost. Priests are men, and therefore subject to error; and this error is one which Catholics always regard with singular disfavour." We presume our contemporary did not mean that *laymen* were to judge of this. And when the *Register* added: "But in this case, even were it true that the two Priests passed the bounds of discretion, that would not justify a prosecution." We presume he did not mean that in any case a prosecution would be justified on Catholic principles, otherwise there would be an inconsistency with the opinions we have already extracted from our contemporary. There have been laymen, indeed, who have questioned the right of the Holy See, or of an Archbishop, to control the conduct of the clergy in the matter of interference with politics. But surely the inconsistency of such a view is flagrant, for if political conduct is not necessarily beyond the sphere of the clergy, can it be beyond the control of their superiors? The *Register* says, Catholics do not like to see priests go out of their "proper sphere," but the Bishops, under the Holy See have to define it, and confine them to it. A moment's consideration will show that this must be so. No one doubts it to be the Catholic view that on matters affecting the Church, the Holy See, and under it the Bishops, must guide and govern the clergy. And the same authority must decide what does affect the Church;

nor can the conduct of the clergy ever fail to affect it. That is one lesson to be derived from the history of the Mayo Committee. It is a lesson our enemies have long learnt; and which we should now apply.

There can be no doubt as to the principles which have always been zealously and jealously maintained by the Holy See, although their application to particular cases is a matter for ecclesiastical cognizance. It is a truism to say that priests do not, by becoming such, lose their rights as citizens; the question is, as to their acts as *priests*. And it may certainly be safe to pronounce that in their priestly character their acts should be confined to their proper priestly duties. Conduct in political affairs may come within the range of moral theology; when it does so it must be dealt with. And general principles as to the avoidance of bribery, and the exercise of the franchise, honestly laid down, as they were by the Archbishop, may be laid down lawfully and laudably by laymen or by clerics. And farther, no one can question the right of priests, as citizens, to use their endeavours, in all charity and moderation, to persuade people that the adoption of a particular policy, or a particular candidate, would be for the public welfare; although there arises the question, a delicate and difficult one, and of purely ecclesiastical cognizance, how far this interference in political affairs may prejudice the more sacred duties of the priest. The present, or coming, elections in Sardinia and Belgium may justly throw serious duties on the priesthood, the only guardians of religion and morality, against ministerial attempts to rob the country of both. But to use the spiritual and priestly influence to enforce the adoption of a particular policy or a particular candidate, risks the misapplication of sacerdotal power to the party purposes of the hour. It may or may not be that the course recommended or denounced may promote or prejudice the cause of the Church, but it can do so only indirectly and remotely; there should be free scope for the exercise of private judgment, and there is an obvious fallacy in confounding general principles with their application to individual cases. The latter, unless there is a question of moral theology raised, (which is for the confessional,) should be left to individual conscience to determine; for it is too much for every priest to assume an infallibility hardly conceded to the Apostolic See; an infallibility of judgment, not merely

in principles, but in the practical course to be pursued, on a purely political and temporal matter. Even assuming that a particular political measure, in its own nature purely temporal, as tenant-right, may benefit the Church remotely and indirectly, and that with a view to its success, a particular course or a particular candidate is the best, those are matters on which persons may honestly or lawfully differ in opinion, and it would be unwarrantable for a priest to use the sacred weapons of the Church against those who do not quite follow his dictation. To deprecate this is not to deprive the priest of his privileges as a citizen, but to disapprove of his abusing his powers as a priest. Therefore we rejoice that in the present case altar denunciations for political conduct were not proved in fact, and were disapproved of by his Grace the Archbishop.

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ART. IV.—1. *Squier's Nicaragua*. London. 1852.

2. *Travels in the Free States of Central America, Nicaragua, Honduras, and San Salvador*. By Dr. Carl Scherzer. London. 1857.

3. *Annuaire de la Revue des Deux Mondes*. Paris. 1855-56.

4. *Boletin Oficial de Costa Rica*. San José. 1857.

5, *El Nicaraguense*. Granada, 1856.

**T**WO mighty nations,—Catholic Spain and Protestant England,—have transported the laws, the manners, and the religion of Europe to the shores of the New World. The warriors of Spain, endowed with many of the virtues that characterized, or are supposed to have characterized, the days of chivalry, but sully those virtues by a reckless disregard of human life and an insatiable thirst for gold, invaded all those regions of the American continent where the precious metals were supposed to be most abundantly deposited, conquered with a splendid daring unsurpassed in history the nations which then inhabited them, and founded the provinces of Mexico, Guatemala, New Granada, Peru, Chili, and La Plata. They carried with them everywhere the standard of the Cross, and the

unity of the Catholic Church; and though acts of enormous cruelty and injustice stained their dealings with the native races,—acts since visited with the retributive justice of heaven in the decline of their country's greatness,—yet as a nation, Spain energetically professed, established, and preached, in her new dominions, the faith of Christ. The consequence is that at this day, from Patagonia to Northern Mexico, the Indian tribes, with but few exceptions, all know and worship the one Lord, the Saviour of the world; their idols are forgotten, their temples are overthrown, and upon their purified altars is offered up to the true God continually the holy sacrifice of the new law. England, settling on the northern portions of the continent, won her way against the opposition of the Indians, with less exhibition of individual daring, but with that steady stubborn pertinacity which is characteristic of her people. Not possessing since the Reformation a national faith, she made no attempt, as a nation, to convert the Indians, and the consequence is that the majority of the Indians of the United States remain heathens to this day. France in vain endeavoured, by drawing a cordon of military posts along the frontier from Louisiana to Canada, to repress the growth of English power. Like "the Danite strong", the Anglo-American rose and burst his bonds as if they had been a thread of tow. The war of independence, at the close of which the colonies were separated from the mother country, shortly followed. Favoured by their close geographical connection,—accustomed from their first foundation, especially the northern provinces, to the practice still more than to the theory of political freedom,—and nobly served by the sagacious and patriotic leaders who had headed them in the struggle for independence,—the thirteen revolted colonies coalesced in a federal union, which, in the seventy years that have since elapsed, while it has expanded to ten-fold its original limits, has maintained between state and state, each larger than many an European kingdom, an unbroken internal peace. Under the protection of this peace, the trade of the United States has been developed, their physical resources *exploités*, their population multiplied, and their political power increased, in a degree and with a rapidity unparalleled in history. Far different has been the career of the revolted colonies of Spain. The actual separation was indeed effected with little bloodshed, and by the end of 1822 the



last of the Spanish-American provinces had declared itself independent of the mother country. But it did not follow, because Spain had ceased to be fit to rule, that her colonies were fit to govern themselves. A people whom her jealous policy had carefully excluded for centuries from every situation of power and trust, were suddenly placed under a constitution, framed by a few liberal *doctrinaires* upon the model of that of the United States, which placed all political power in hands totally unused to its exercise. Again, this power was committed to an impulsive race, whose passions were volcanic as their soil, and to which patience and self-control under opposition, qualities without which constitutional government must certainly fail, were far more difficult, even had they been cultivated by experience, than to the Teutonic race which inhabited the cold North. A third cause may be looked for in the unhappy union of liberal politics and hostility to religion in the public men who took the lead in Spanish-America after the separation. Exemplified in the philosophers whose writings preceded and influenced the course of the French Revolution, this union seemed to be justified, and in a manner necessitated, by the example of the United States, where the declaration of political independence had been accompanied by a profession of complete national indifference as to religious truth. Thus it happened that the statesmen who were in favour of a liberal and progressive policy in politics and trade, were also those who were for stripping the Catholic Church of her property, taking out of her hands the education of the young, and, by abolishing all national profession of religion, placing her, as in the Northern republic, on the same level with every form and variety of misbelief. On the other hand the conservative party, happily the great majority of the population, in their just indignation at the infidel schemes of the Liberals, too often confounded with these in a common sentence of condemnation their projects of social reform, and hence brought upon Catholicism the odium of refusing to move with the age, and being essentially inconsistent with the progress of those social and material ameliorations which are the boast of the nineteenth century.

When, therefore, as the years rolled on, watchful observers on both sides of the Atlantic perceived that while the United States continually increased in population, in wealth, and in territorial extent, the republics of Spanish

America, convulsed by an endless series of wars and tumults, alike contemptible and disgraceful in all concerned, were continually retrograding, in every point that forms a constituent of national power, below the standard to which Spain had brought them, they not unnaturally began to infer that such a state of things argued an essential and permanent inferiority in the Spanish race,—that the contrast between North and South would each year become more marked,—and that the ultimate result must be, the absorption of all these weak and suicidal states, at least as far as the isthmus of Panama, by the stronger Anglo-American race. Nor were the citizens of the United States slow to afford what countenance they could to theories so gratifying to their vanity. In 1845 took place the annexation of Texas; this led to the Mexican war in 1846, which ended in the annexation of New Mexico and Upper California to the United States. It is true that according to received ideas of morality, there was enormous injustice in these proceedings; but Carlyle promulgated about this time the convenient doctrine that in human history Might was in the long-run identical with Right, and many were ready to apply this doctrine to the case of America. The writer of this article in the year 1847 heard an eminent individual, then ambassador from one of the Northern courts, in a short speech of compliment to the American minister who was present, compare the pressure of the Americans on Mexico to the South and the Indians to the West, to the irresistible downward course of the hardy Northern tribes upon the effete Roman empire, and say that such irruptions should not be styled wars of conquest, but rather immigrations of nations. Religious prejudice came in to lend additional attractiveness to these conclusions. The Anglo-Americans were mainly Protestant, the Spanish-Americans mainly Catholic; the disastrous condition of the latter was therefore at once and eagerly imputed to their religion: and in their complacent anticipation of the spread of Protestantism, these observers were willing to compound for a considerable amount of infraction of the seventh commandment.

We trust that these anticipations will prove utterly futile, nay, we think that events are already beginning to demonstrate their emptiness. And as some confirmation of our opinion, we propose to relate the course of a

remarkable struggle in one of the Republics of Central America, which has lately been brought to a conclusion.

The works which we have placed at the head of this Article contain a sufficiently full description of the physical features, the climate, the productions, and the inhabitants of the ill-fated Republic of Nicaragua. Let us devote a few words to each, that our readers may better understand what sort of country and people they are, which American propagandism covets, and had well nigh succeeded in absorbing. We will take Mr. Squier, *Chargé d'Affaires* from the United States to the Republic of Nicaragua, in the year 1849, as our principal informant. He is a careful observer, and a capable narrator, and though visions of annexation seem at times to have loomed before him also, they have not prevented him from forming and expressing an upright judgment on the men and events which came before him.

The great mountain chain, known in North America under the name of the Rocky Mountains, and in South America as the Andes, is interrupted between 10° and 13° north latitude, by a broad transverse basin, running N.W. and S.E., in which are contained the lakes and plains of Nicaragua. To the traveller, approaching from the eastern or Atlantic side, the aspect of this low, hot region, is not inviting. Entering through a narrow passage the harbour of San Juan de Nicaragua, or Greytown, (a place which has a whole history to itself, and where events have more than once occurred, seriously imperilling the peace subsisting between England and the United States,) the stranger sees before him a low sandy shore, a narrow strip of cleared land beyond it, on which are scattered a few wooden houses, forming the town of San Juan, and behind the town, or rather behind a miasma-breathing lagoon, swarming with alligators, between which and the sea the town is hemmed in, rises from right to left a dark unbroken tropical forest. All this side of Nicaragua, the Atlantic slope, as it is called, is unhealthy, because, to the great heat produced by its situation within the tropics, and its small elevation above the sea, is joined an excessive moisture, occasioned by the heavy rains brought by the N.E. trade-wind. But we will suppose that our traveller is not discouraged, but proceeds to explore farther into the country. He must then take boat or steamer, and sail for ninety miles up the tor-

trious channel of the San Juan river. Thirty miles from the sea he will pass the mouth of the Serapiqui, a river running from the south into the San Juan, at a place called Hibbs' Point. Thus far, and for some distance above the junction of the Serapiqui, the banks of the San Juan present scarcely any sign of human habitation. But, after passing some rapids, about sixty miles from Greytown, a massive castle, Castillo Viejo, presents itself on the left hand, erected by old Spain in the days of her power, and eminently serviceable to the descendants of her blood in their late hour of need, as we shall see in the course of our narrative. More rapids succeed, and the fort of San Carlos is at length reached, crowning a low hill that marks the junction of the lake and river. From the fort is seen the broad expanse of the lake in front, a vast forest country on the left, traversed by a large river, flowing out of the unexplored border-lands of Costa Rica, that here falls into the lake, and on the right the commencement of the grassy, hilly region, called Chontales, which extends along, and far back from, the northern shore of the Nicaraguan lakes, and supports large herds of cattle belonging to the citizens of Rivas, Granada, and Leon. From Fort San Carlos our traveller may either cross the lake to Virgin Bay, whence a short overland transit of about twelve miles will take him to the port of San Juan del Sur, on the Pacific, a place of call for the American steamers that ply between San Francisco and Panama, or he may sail in a north-westerly direction for nearly the entire length of the lake, until he arrives at Granada, the capital of the Nicaraguan Republic. He is now on the Pacific side of the country, and scenes of surpassing beauty surround him. The climate here is far drier and more healthy than on the Atlantic side, and it is here accordingly that the mass of the population is gathered. The limits of an article do not permit us to enter into any detailed topographical description; but we will say briefly that the lake of Nicaragua is about 120 miles long, and 50 miles wide,—that a navigable river about 20 miles in length, connects its northern extremity with the lake of Leon, or Managua, the length of which is about 50 miles, and the breadth 35, and that from the lake of Leon, still proceeding in a north-westerly direction, to the Bay of Fonseca, a distance of about 70 miles, the country consists of a succession of magnificent plains,

studded with numerous lofty volcanoes, and even in their present imperfect state of cultivation, giving the beholder the impression of unrivalled fertility. Similar plains surround the city of Rivas, and stretch, with little interruption, from Granada to Leon, on the lake of that name. They produce maize and rice in abundance for home consumption, and sugar, cacao, cochineal, indigo, and a peculiarly fine species of cotton, for exportation to foreign lands. This lovely region, Father Gage, the English Benedictine, who visited it in the year 1665, describes as "a country plain and beautiful, full of pleasantness, so that he who fared therein, deemed that he journeyed in the ways of Paradise." The accounts of modern travellers fully bear out these rapturous expressions.

The population of Nicaragua amounts to about 260,000 souls, of whom about one half are of mixed Spanish-Indian descent, and one-tenth pure whites. Of the remainder about 15,000 are negroes, and 80,000 pure Indians. It is customary with ourselves to speak and think contemptuously of these "mongrel races," and to regard the old Spanish stock as irretrievably deteriorated by the extensive amalgamation of races which has taken place. And these impressions are to a certain extent true, but far less so than we fancy. A licentious intercourse between a superior and inferior race, (as between the whites and negroes in the United States, or between the vagabond white population and the natives of the South Sea Islands) does indeed produce an essentially degraded race. But such has not been the general character of the intercourse between the Spaniards and the Indians in the New World. When the chiefs of Tlascala offered their daughters in marriage to Cortes and his principal officers, the latter would only consent on condition that their future wives should be "purified from the stains of infidelity by the waters of baptism,"\* so as to be thereby incorporated in the same mother Church with themselves, and made part-takers of the same hopes of salvation. Cortes felt, as every Catholic must more or less distinctly feel, that difference of race was outweighed by community of faith, and that membership in Christ's Church united and assimilated, more than difference in colour, language, or disposi-

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\* Prescott's Conquest of Mexico, i. 408.

tion, disjoined. When two races intermingle their blood on such terms as these, their half-caste descendants, provided they remain faithful to that religion whose harmonizing and levelling influences originally presided over the union, are likely at least to be an improvement on the inferior people of the two. And what has that inferior people itself become under the influence of Christianity? Mr. Squier (i. 291) "finds it hard to say, in many respects, whether the conquerors have assimilated most to the Indians, or the Indians to the Spaniards." Again, (p. 284) "The Indians of Nicaragua are singularly docile and industrious, and constitute what would in some countries be called an excellent rural population. They are," he continues, "always kind and hospitable to strangers; not warlike, but brave." Generally, he says, (p. 295) "Those," (the Indians) "of Central America are capable of high improvement, and have a facility of assimilation or adaptation. They constitute, when favourably situated, the best class of citizens, and would anywhere make what in Europe is called a good rural or working population. I have found some really comprehensive minds among them, men of quick and acute apprehension, and great decision and energy of character." Again, speaking of an interview with some Indians from Subtiaba, a large Indian municipality near Leon, he says, "They were curious to know about the Indian population of the United States, and I blush to say it, I was ashamed to tell them the truth." When one remembers that these Indians are Christians, as have been their fathers before them for more than two centuries, one is not surprised at the contrast which these words suggest between them and their pagan brethren in the United States. Mr. Squier, too, may have bethought him of the iniquitous spoliation of the Cherokee Indians, who after being to a great extent civilized and converted by Protestant missionaries, were driven from their lands by the State of Georgia in 1832, the Federal Government sanctioning the robbery. Such then being the account given by an impartial observer of the capabilities of the Indians of Nicaragua, it may be fairly inferred that the Ladinos, or half-caste race, who are admitted to be much superior in intelligence to the Indians, are capable, under favourable circumstances, of attaining to a yet higher grade of civilization than they. But, unfortunately, the Ladinos, as a class, are morally inferior to the Indians.



And why? Mainly because, unlike them, they are inattentive to the duties of religion; the showy scepticism of the day captivates their quick, impressionable, but shallow natures; and so long as religious indifferentism is in vogue among the politicians and literary men of France and Spain, so long, it is to be feared, will the Ladinos, not to be out of the fashion, despise or disregard the precepts of Holy Church. What then is to be desired for this "mongrel" population? Not surely annexation to the United States; for that would involve a still greater relaxation of the hold which religion yet retains on the Ladinos, and would tend to fix their minds yet more than at present upon low material aims; while to the Indians, judging from the past dealings of the Americans with the northern Indian tribes, it would probably result in utter extermination. No; if a happier future be in store for the people of Spanish America, it must be reached through their adherence to two principles; one, that of tightening in every possible way their hold upon that true apostolic Roman Catholic faith which they have received from their fathers; the other, the establishment of suitable and natural political conditions, not servilely imitated from the foreigner, but wisely adapted to their actual wants.

Mr. Squier, whose mission was connected with the proposed opening of an inter-oceanic canal between San Juan del Norte and the Bay of Fonseca, met with an enthusiastic reception from the warm-hearted and hospitable Nicaraguans. Shortly before his arrival, in April 1848, an English squadron had appeared in the port of San Juan, charged by the British government to vindicate the territorial claims of the mock king of Mosquitia over that portion of Nicaragua; and the boats of two men-of-war, rowing up the river, had attacked and dislodged a party of Nicaraguan boatmen, who had fortified Hibbs' Point, at the junction of the Serapiqui. This step, one of the most unjustifiable and unaccountable among the many miniature *coups d'état* which diversify the imbroglio of Central American politics, was to Nicaragua of very mischievous consequence. After many years of civil strife, the Republic seemed to have gained an interval of repose, and its government was beginning to acquire strength and to inspire respect; but this forcible seizure of a portion of its territory encouraged the disaffected to renew their machinations against a government which they saw thus

outraged and despised by a foreign power. The best men in Nicaragua had keenly felt this indignity, and were disposed to hope great things from the interposition of the United States in their behalf. Mr. Squier accordingly, in his character of American envoy, met with a most cordial reception. In an official address to the Supreme Director of the Republic, Sr. Ramirez,—after insisting on the true policy of Central America being identical with that of the United States, namely, to maintain republican institutions and resist European interference,—the envoy alluded in a marked way to the kindness which his countrymen had uniformly experienced from the natives, in their passage across Nicaragua to and from California. Poor Sr. Ramirez, who in his disgust at the recent proceedings of the British lion, was wholly unsuspecting of the claws of the American eagle, caught at the vague expressions of the diplomatist, and congratulated his hearers and the country on “the happy day which is now dawning upon us!” Could he but have foreseen that in little more than seven years from that time the very building in which he stood (it was in Granada) would be destroyed, the entire city plundered and burnt, the churches stripped of every sacred vessel, and every offering of piety, many of his countrymen murdered, and many of his countrywomen outraged, and all this by American citizens, professing themselves the most advanced disciples and the most consistent expositors of American principles, could he, to crown all, have foreseen that these common pirates and buccaneers would organize what they called a government, and that that government would, in May 1856, be recognized by the President of the United States, we rather think that the exultation and the sanguine confidence of Sr. Ramirez would have undergone a very considerable abatement!

It is now time to relate the rise and progress of what the *Times* calls “the dismal history of Walker the Filibuster.” Some slight sketch, however, of the state of things previously existing in Nicaragua and the neighbouring States, must first be attempted.

The five provinces which formed the old captain-generalcy of Guatemala, following the example of Mexico, proclaimed in 1821 their independence of Spain. After much debate and disturbance, deputies from all the provinces met at Guatemala, in 1823, and agreed upon the constitution of 1824, by which Guatemala, Honduras, San

Salvador, Nicaragua, and Costa Rica, now created into separate states, were federally united to form the Republic of Central America. But the people were, as we have said before, incapable of working to advantage the political institutions which they had borrowed from the Northern Republic. The traditional notions of a balanced political freedom, implying duties as well as rights, which her American colonies had imported from England, and which had flourished and grown strong by use on the new soil, were wholly unknown in Spanish America; and a visionary theoretical liberty, which never had, and never will have, any real existence, save in the pages of the *Contrat Social*, or the Rights of Man, dazzled and misled the Liberal party in the new republic. Many of their cherished plans were good enough in themselves, but above the comprehension or distasteful to the prejudices of the mass of their countrymen; and finding this, the Liberals, instead of using peaceable and legal means for influencing public opinion, thought in their political inexperience that force would open a nearer and readier way, and accordingly employed the physical power of the state to coerce the majority into submission. They succeeded perhaps for the moment; but force was a game which more than one could play at, and their political opponents, as soon as they could organize the means, were only too ready to turn the tables, and execute what was dignified with the name of a revolution. In this way a state of things at last arose, closely resembling the condition of Greece during the Peloponnesian war. Each of the States (excepting always Costa Rica,) had its band of political exiles, who were always waiting outside the frontier, ready to pounce upon the existing government at the first symptom of weakness or relaxed guard. In 1838, after having been several years practically in abeyance, the Republic was formally dissolved, and the five States composing it declared themselves independent. Subsequently, dictatorships, or tyrannies, as they would have been called in Greece, were established in most of the States. The most remarkable is that of Carrera, in Guatemala. Carrera is a mestizo, or half-caste Indian; he obtained the supreme power in Guatemala, in the year 1839, and has held it firmly ever since, governing the country on conservative principles. He is a sincere Catholic, and under his rule a portion of the confiscated Church property has been re-

stored, and the worst and most irreligious acts of the infidel Liberal party in the federal legislature reversed. Guatemala has consequently enjoyed for the last eighteen years a degree of peace and prosperity which she had not known since the separation from Spain.

The little state of Costa Rica has all along kept aloof from the revolutionary commotions of her neighbours, and under the wise dictatorship of Carillo, from 1838 to 1842, she made great advances in the development of her industrial resources. In 1831 the cultivation of coffee was introduced on the *plateau* of Costa Rica, (as the elevated table land is called which forms the most valuable portion of the state, and the great height of which secures for it an eminently healthy and delightful climate,) and has since attained to very large proportions.

Nicaragua also fell under a Dictator for a short time, named Fonseca; but he seems to have been quickly ousted. Between 1844 and 1848 occurred a tolerably quiet interval. In the latter year Greytown was seized by a British force, and an outlaw, named Somoza, taking advantage of the embarrassment of the government, organized an insurrection in 1849, but after maintaining his ground for some months, was taken and shot. Fresh disturbances, on the nature of which Mr. Squier does not enlighten us, took place in 1851.

Nicaragua had taken the lead all along in the adoption of a so-called liberal policy, one part of which of course was persecution of the Church. At the time of Mr. Squier's visit, all the old convents in Granada and Leon were untenanted and going to ruin. A solitary Franciscan, Padre Cartine, a man of rare virtues, still lingered about the deserted chambers and cloisters of the great monastery at Granada, but the rest of his brotherhood had departed. Indeed, in 1829, the Federal Congress had abolished all religious orders throughout Central America; this measure had been reversed, however, in Guatemala, after the dissolution of the Republic, and apparently in Costa Rica also; but in Nicaragua, the stronghold of liberalism, this irreligious and anti-social act was allowed to remain in full force. It is but too evident that religious scepticism is fearfully common in Central America. For one indication, take the decree of Congress, in 1832, (Squier, ii. 409,) declaring that Catholicism was no longer the religion of the country. And Mr. Squier himself says,

(i. 370,) though perhaps his expressions should be taken *cum grano*.—

“In Central America, among those capable of reflection, or possessed of education, there are more who are destitute of any fixed creed, rationalists or what are sometimes called free-thinkers, than Catholics or adherents of any form of religion. Many of the priests share in the general scepticism.”

The Rev. Mr. Crowe, a Protestant missionary in Guatemala, quoted by Mr. Squier, (i. 385), also bears testimony to the spread of infidelity. But this pious and Christian man finds in the fact only matter of rejoicing. He says (the italics are ours): “The change from Popery or any other analogous system to the entire rejection of revealed religion, is one which believers in Divine Revelation *may hail with satisfaction*, if they be prepared to take advantage of it; for it breaks up prejudices of education, leads to thought and inquiry, and *sometimes*” (the holy man will not venture to say more,) “to a sincere and earnest search after *truth*.”

Upon a people thus misprizing, if not disgracing, the name of Catholic, came a retributive storm of calamity from the North, in the shape of an invasion by a host of godless freebooters, reckless of all laws human and divine. How sharp and severe the punishment must have been, the brief sketch which follows may partly testify. The storm is now over, and the sky is clear again; may Nicaragua only profit by the past, and out of her deep humiliation will arise a national well-being, grounded on virtue and religion, which will place her out of danger, whether from domestic treason or foreign foes.

The materials for the following sketch are: the columns of the *Times* newspaper for 1856 and 1857; the excellent *Annuaire* of the *Revue des Deux Mondes*, for 1855-56, and a number of American newspapers, some published in New York, some in Costa Rica, some in Nicaragua, which have been kindly placed at our disposal by Captain Erskine, late commander of the British naval force in the Gulf of Mexico. Among these, *El Nicaraguense*, the official organ of the Filibuster government, is much the most curious, and the *Boletín Oficial* of Costa Rica, the most respectable and trustworthy.

The circumstances under which William Walker was invited into Nicaragua were these. In 1853, after a suc-

cession of short Presidential reigns, Don Fruto Chamorro was elected President. He was a man of some energy and ability; he took measures to clear the country of robbers, and to re-establish social order; and had he been just in his severity, confidence might have been restored, and the disasters about to fall on the Republic averted. But Chamorro, like the rest, was demoralized by the long prevalence of social disorder, and in dealing with his political adversaries, he flagrantly outstepped the bounds of justice. Sr. Castellon, and General Jerez, were the heads of the democratic party in the House of Representatives; and Chamorro (if we may believe a story alluded to by Dr. Scherzer) caused them to be arrested, and upon false evidence suborned against them by one of his unscrupulous agents, sentenced them to banishment. They retired to Honduras; whence in the following year, aided by a body of Honduran sympathizers, they organized an expedition against Nicaragua. Occupying Leon, they formed a provisional government, in which Castellon was named President. In the struggle which ensued, Chamorro was defeated in the field, and forced to take refuge in Granada. The democrats attacked the city, but in vain. Despairing probably of success without foreign aid, Castellon, in the early part of 1855, sent an invitation to an American adventurer at San Francisco, (of whose fame as a freebooter he had heard from a Mr. Byron Cole, the agent of an American mining company, then travelling in Nicaragua,) to bring his band of *condottieri* to his assistance. This adventurer was the celebrated Walker. Castellon undertook to grant to Walker 52,000 acres of land, if through his means he succeeded in overcoming the Chamorroists.

William Walker was the son of a Scotchman, settled in Tennessee, and was born in the year 1824. After having, with that versatility which is so characteristic of his native countrymen—

Augur, schœnobates, medicus, magus, omnia novit,

tried in turns the callings of doctor, journalist, and lawyer, and met, it would seem, with sorry success in all, the enterprising youth betook himself to San Francisco, and there at last seems to have fallen upon a congenial society, and discovered his true vocation. Probably there is no city upon earth—not even Delhi when tenanted by



mutinous Sepoys,—in which so large a proportion of the male inhabitants are unmitigated villains, as San Francisco ;—it is the very metropolis of rascaldom. While editing his journal at New Orleans, Walker had doubtless matured his politico-religious creed, which was no other than that “go-ahead” gospel,—that propagandism of annexation and “manifest destiny,” which has superseded Christianity in the minds of a large proportion of the people of the United States. And now, at San Francisco, where desperadoes could be hired cheap, and the Mexican territory lay temptingly near, what should hinder Walker from reducing theory to practice? His first filibustering exploit accordingly was a raid upon Lower California. It was unsuccessful, and he was obliged to retire upon San Francisco ;—but his conduct as a leader seems to have inspired his followers with great confidence in his firmness and capacity for command. He is described as a short man, with red hair and singularly large light grey eyes, and as remarkably taciturn and reserved.

Castellon's offer was eagerly accepted, and Walker embarked his band, consisting of about 70 armed men, for Nicaragua. The filibusters landed at Realejo on the 28th June, 1855, and were there joined by about 200 of the men of Leon ;—with this force Walker again put to sea, and landing at San Juan del Sur, he advanced upon Rivas, a town about 12 miles distant, near the shore of the lake. Near that city he fell in with and attacked the Nicaraguan troops, but was defeated, and obliged to retire again by sea to Realejo. Castellon and his party, vexed at this untoward result, were about to break off all connexion with the filibusters. But Walker sent from Realejo to Don Mariano Salazar, Castellon's brother-in-law, then residing in the state of San Salvador, entreating that he would help him to make one more attempt upon Rivas. Salazar accordingly came to Realejo, and supplied the means for another invasion. How the divine Nemesis afterwards overtook Salazar for this traitorous act, we shall see in the sequel.

Furnished with the sinews of war, and having also received a reinforcement of filibusters from San Francisco, Walker landed a second time at San Juan del Sur towards the end of August with about 250 men. The Nicaraguan troops, under General Corral, were disposed as before so as to cover Rivas, and awaited his approach.

But Walker, by a movement to his right, marched to and occupied Virgin Bay, 11 miles from Rivas, on the 3rd September. And now an event occurred which goes far to explain his subsequent success. Walker had been defeated before, and would probably have been defeated again, had he met the Nicaraguan troops in the open field. A gross act of treachery on the part of an American company alone enabled him to seat himself firmly in the capital of the state. We have before mentioned the Transit route across Nicaragua, by which American passengers between California and the Atlantic states were conveyed in great numbers. This route was let by the Nicaraguan government in 1850 to Messrs. Vanderbilt and Co. of New York, who agreed to pay 10,000 dollars down, and 10 per cent annually on the profits of the undertaking, in return for the privileges conceded to them. Up to the date of Walker's invasion, this Transit company had never made any payment whatever. The leading men in the direction of its affairs appear to have been Morgan and White in New York, and Garrison in San Francisco. These gentlemen, besides the natural repugnance which they felt to the payment of the contribution which they had bound themselves to render, were animated also, it appears, with a virtuous disgust at the insecurity and disorder prevailing in Nicaragua under her native governments, and formed a deep-laid scheme for establishing a Yankee government in the republic;—thus, as they reasoned, providing for the political salvation of Nicaragua, while they accomplished an excellent stroke of business on their own account. Indeed a writer in the *New York Herald* (Nov. 20th, 1856) plainly asserts that the very idea of summoning Walker to his aid was first suggested to Castellon by agents of the Transit Company, influenced by the prospective views above mentioned:—and also that it was from the company's funds that the original expedition was equipped and dispatched. However this may be they certainly afforded him substantial aid at the crisis of his history at which we have now arrived. Their lake steamers, the sole legitimate employment of which was to transport passengers across the lake between Virgin Bay and the river San Juan, were placed at his disposal. Embarking his men on the 13th October, Walker proceeded straight to Granada, the seat of government, at the head of the lake.

The city was totally unprotected, for the government, suspecting no treachery on the part of the Transit Company, had sent all the available troops to Rivas. Walker therefore surprised the place, and occupied it without resistance. He immediately seized the principal government officers, and sent word to General Corral, that unless he came into Granada and signed a capitulation, he would put them to death.\* Corral, who seems to have been deficient in moral courage, was overawed by this ferocious threat. He accordingly signed a capitulation on the 23rd October, by which it was agreed that Don Patricio Rivas, a democrat, should be appointed President for the ensuing fourteen months, and Walker, Commander-in-chief of the Nicaraguan army. The freebooter did not think it was yet time to throw off the mask, and openly seize the reins of government. But in fact he did whatever he pleased; and a few days after the capitulation he caused Sr. Mayorga, a member of the late ministry, to be arrested and shot on a charge of *conspiracy*. The unfortunate General Corral met with a similar fate on the 7th November. By these acts of terrorism the barbarian hoped to render the people passive, if not tranquil, under his rule.

Other means were also resorted to, to confirm the usurpation. By a decree bearing the signature of Rivas, (who must be regarded up to the date of the rupture between them as the mere tool of Walker,) and dated in November, 1855, a free grant of 250 acres of land to every single, and 350 acres to every married settler, was held out as a boon to intending emigrants. The object was, as in the case of Texas, to people the country with Americans, so as to ensure its never returning into the hands of the rightful possessors. The next step was to endeavour to procure the recognition of the usurpation by foreign states. With this view, Colonel French, one of the original filibusters, was sent in December as plenipotentiary to Washington. But the choice was unfortunate; French, it appears, had committed some little peccadillo in early life, which a too implacable government had recorded against him on its books, and the President warned him to quit Washington immediately, on pain of being called to a settlement of the ancient score. But whatever the

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\* This is stated on the authority of Sr. Marcoleta, the Nicaraguan Envoy at Washington (*Times*, June 10th, 1856).

character of the envoy, it is unlikely that at this time President Pierce would, under any circumstances, have recognized Walker's government. He had no particular wish just then to fly in the face of England, and had no reason to think that the measure would gain him much popularity in the United States. Colonel French, therefore, was sent about his business, somewhat ignominiously.

The envoys sent by Walker to the neighbouring republics were variously received. Guatemala hesitated, and took no decisive action; San Salvador shewed similar dispositions; Honduras, where the democratic party was then uppermost, recognized the usurpation; Costa Rica alone, the smallest and weakest of the four, rejected with disdain the proposals of Walker, ordering his envoy to leave her territory, and by a proclamation dated the 28th February, 1856, called her citizens to arms, to expel from the territory of a kindred people the enemies of their race and their religion.

This little state has been pursuing for many years, what American travellers, as well as writers nearer home, call a "retrograde" policy, that is, she has upheld the Catholic religion, and abstained from persecuting or plundering the Church. We have Mr. Squier's express assurance (vol. ii. p. 445,) that, ever since 1842, Costa Rica has been identical in policy with Guatemala, and the government of Carrera has been, as is well known, conservative and Catholic in principle throughout. Costa Rica has obtained an honourable pre-eminence among Spanish American states in the eyes of British capitalists, by the punctual payment of the interest upon her state debt. Her population amounts to about 150,000 souls, and is more purely Spanish than that of any of the neighbouring states. Travellers describe the Costa Ricans as an industrious, honest, and light-hearted race,—so honest, indeed, that it used to be a common saying, that a child with a golden crown on its head might cross the country unmolested from one ocean to the other. Little credit, however, used to be given to them for the sterner and more manly virtues. Dr. Waagner, a German, who visited Costa Rica in 1854, pronounced that a band of a few hundred armed foreigners could with the greatest ease overturn the existing government, and make themselves masters of the country. Never did a grave opinion

receive a more speedy and signal refutation, as we shall presently see.

Walker, who, to do him justice, appears throughout these proceedings as a man of undaunted courage, immediately took up the challenge of Costa Rica. Four hundred Filibusters, armed with rifles, under a Colonel Schlessinger, (said to have been engaged in the Hungarian war on the side of Kossuth,) invaded the territory of Costa Rica. At Santa Rosa, (a place which evidently takes its name from St. Rose of Lima, America's great native saint,) near the frontier town of Guanacaste, the Americans encountered on the 20th March the vanguard of the Costa Rican force, consisting of about 500 men, under Colonel Bosquet. After some firing, the Costa Ricans rushed on the riflemen with bayonets and knives, and quickly put them to flight. Schlessinger, it is said, was one of the first to flee. The loss in killed and wounded was severe, and the Costa Ricans took nineteen prisoners, seventeen of whom, being found with arms in their hands, were adjudged by a council of war to suffer death. Though this measure was justified by the law of nations, it may be doubted whether its extreme severity did not rather injure than serve the cause of Costa Rica. Certainly it had not the intended effect, of deterring other Americans from joining the filibusters. Meantime the main body of the Costa Rican army under General Mora were advancing towards the frontier. It seems to have formed a part of the plans of the Costa Rican government to intercept the communication by the steamers between Greytown and the lake up the river San Juan, as it was by this channel that Walker was constantly receiving fresh accessions of strength from the United States. This conception was eventually acted upon with complete success; but on this occasion the rapid movements of the freebooter defeated it. Embarking all his disposable force at Virgin Bay on the 6th of April, Walker proceeded to the river San Juan, placed garrisons at Castillo Viejo and Hibb's Point, the two most important and defensible points, and returned without delay to Virgin Bay. But during his absence General Mora had seized on that post, as well as on San Juan del Sur and Rivas. Finding this, Walker at once steamed up the lake to his head quarters at Granada, whence he marched with his whole force to attack the

Costa Ricans in Rivas. He arrived in front of the city early on the morning of the 11th April. The Costa Ricans had entrenched themselves in the plaza; notwithstanding which the Americans advanced with great bravery to the assault. The struggle was maintained all day, but at nightfall Walker was compelled to retire, leaving 150 of his men dead on the field. The loss of the Costa Ricans was, by all accounts, still greater, perhaps on account of the superiority of the American firearms. Still the day was theirs; and the western portion of the Transit route remained completely in their possession.

We have been unable to discover the precise reasons which operated to prevent General Mora from following up this success by an advance upon Granada. Whatever they may have been, he let the opportunity pass by, and remained inactive at Rivas. Here cholera presently broke out with frightful virulence among his troops. After losing nearly 1000 men, he led back in May his diminished but not disheartened force within the borders of Costa Rica.

Thus, the first attempt of the Spanish-Americans to expel the foreigner from their territory had failed, and for some months the doctrine of "manifest destiny" received extraordinary countenance from the progress of events. Walker improved his financial position, received large reinforcements of men, money, and *matériel*; and, to crown all, his filibuster government was recognized by that of President Pierce! *Arcades ambo!* We will devote a few lines to each of these topics.

The master stroke by which Walker filled his empty treasury, was the seizure of the steamers and other property belonging to the Transit Company. It was this company, as our readers will remember, which, to rid itself of its pecuniary obligations to the republic of Nicaragua, treacherously enabled Walker to surprise and seize upon Granada; and now, by a sort of poetical justice, their creature became the instrument of their ruin. In February 1856, Walker caused their steamers to be seized, on the ground that they had fraudulently eluded the fulfilment of their contract made with the Nicaraguan government in 1850! The company was brought in debtor to the republic in the sum of more than 250,000 dollars, over and above the value of the seized property, and the Transit route was granted on advantageous terms



to a new company, which purchased the steamers from Walker for the sum of 400,000 dollars.

Another expedient for raising money, was the confiscation and sale of the estates of *rebels*. "*El Nicaraguense*" of the 27th September, 1856, contains a list of 63 estates, and 44 houses, "besides forty or fifty farms, houses, &c., in the department of Rivas," described as having been confiscated on account of the treason of the owners, and offered for sale by the government to the highest bidder. The object, of course, was to tempt Americans to purchase these estates by offering them at an upset price far below their value. Various other methods of pillage and exaction were also resorted to, which it would take too long to describe.

With respect to reinforcements, they began, about the date of the retreat of the Costa Ricans, to pour in in an almost continuous stream, both from California and from the Atlantic states, and never ceased to arrive until after the final discomfiture of Walker in May 1857. Ordinary readers see allusion made in the papers to bands of filibusters, the numbers of which, taken separately, seem insignificant enough;—and to such it may seem that we attach too much importance to the fact of the expulsion of these bands from Nicaragua by the united efforts of the Central American states. But the truth is, that few are aware of the real magnitude of the efforts made to Americanize Nicaragua. Since the disastrous termination of the enterprise, some light has been thrown upon the subject. The correspondent of the New York Times (quoted in the Times of the 29th August last) says:—

"The books of the old accessory Transit Company of Charles Morgan and Sons, prove that no less than 7000 men have been shipped up the San Juan River, and 3,500 received from California. Mr. Bortwick, late Secretary of State to General Walker, tells me that he can prove, by documentary evidence, that no less than 5,700 filibusters have found their graves in Nicaragua."

In fact, so far as the Southern States were concerned, Walker's enterprise was really a national movement. The Washington correspondent of the New York Herald (Times May 19th, 1856,) states, that "the Southern members of Congress are singularly united in favour of Walker, even more so than ever I have known them to be on the Cuba question." The entire general population

of these states was notoriously enthusiastic in his cause. The universality and intensity of this sympathy may be partly accounted for, so far as the South is concerned, by the presence in the slave states of a large population of poor whites, men of turbulent habits and loose principles, to whom manual labour is a degradation, because there practised only by slaves, and who therefore are always ready to join in any enterprise which offers an outlet for their energies, and a reasonable prospect of plunder. But—to the shame of the Americans be it spoken,—it was not only from the South that Walker drew his supplies. In the *Times* of the 24th May, 1856, may be found an account of a large meeting of sympathizers with General Walker, held in New York, and “chiefly composed of friends of the Administration.” At this meeting letters favourable to the recognition of Walker’s government were read from General Cass and other prominent democrats. Guns, money, and sympathy were freely pledged, and a series of resolutions in his favour adopted. If we mistake not, the General Cass who thus acted in May, 1856, is at the present time Secretary for foreign affairs under Mr. Buchanan! This is merely a sample of many such meetings held in New York and other northern cities. Taking all these circumstances into consideration, the task which the Costa Ricans and their allies had before them, will not appear so exceedingly easy of accomplishment.

But the most important aid which Walker received was undoubtedly the recognition of his government, in May 1856, by President Pierce. This recognition, to which the able and honest Marcy was throughout opposed, had been, as we have seen, refused in December 1855, only five months before. What paltry intrigues,—what despicable calculations of political advantage,—may have induced President Pierce thus to stultify himself, it is not worth while to inquire. The fact remains, that on the 14th May, Padre Vigil, the envoy of the Walker-Rivas government, was sent for by Mr. Marcy, and by him conducted to the President, who received him as minister from Nicaragua, “with distinction and cordiality.” The English funds fell upon the receipt of this intelligence, for the recognition of Walker was regarded as a direct insult to England. The members of the whole diplomatic corps at Washington unanimously resolved not to recognize Padre Vigil, either

socially or officially. But the proceedings of Walker's sympathizers, particularly in the South, received an immediate and extraordinary impetus.

We will now resume the thread of the narrative. In June, President Rivas, apprehensive probably that Walker would not always be contented to enjoy the substance of power without its outward show, and that he himself, as the sole remaining obstacle in his path, would sooner or later share the fate of Mayorga and Corral, went, accompanied by Salazar, his minister of war, to Leon, a city lying seventy miles to the north-west of Granada, and declared the seat of government to be removed to that place. Walker immediately threw off the mask; declared them both traitors; and ordered a new election for President. The election came off about the end of June;—and as the filibusters had military occupation of the greater part of the country, our readers will not be surprised to hear that the choice of the people fell upon General Walker. Rivas protested against the validity of the election; so that henceforward we have two Presidents in Nicaragua, one issuing his decrees from Leon, the other from Granada. Salazar, proceeding in July to San Salvador to visit his family, was taken prisoner in the Bay of Fonseca by a filibuster schooner, and brought up to Granada. The relentless Walker could not forgive his former friend for having turned against him, and Salazar was shot in the public plaza of Granada on the 3rd August. Seated in the same chair in which Corral, his predecessor in office, had met his doom, Salazar paid the extreme penalty of *treason*. A traitor indeed he was, but not to Walker;—his treason had been consummated long before, on the day when he helped to place a foreign yoke on the necks of his countrymen; and it was committed, not against the alien usurper who put him to death, but against the land of his birth and the traditional glories of his race.

On the 12th July, William Walker was inaugurated President of the Republic of Nicaragua. But the grand banquets, processions, balls, and *levées*, which, according to *El Nicaraguense*, followed this auspicious event, had soon to be laid aside. The other states of Central America—Guatemala this time taking the lead—had now become ashamed of their long apathy, and agreed to unite their forces in order to expel Walker. Carrera's

troops marched from Guatemala about the 15th June, and were joined in San Salvador by the troops from that state. The allies crossed the Bay of Fonseca, and occupied Leon about the end of July. Rivas received them with open arms as his deliverers. But dissensions broke out among the generals, and they remained for more than two months inactive in Leon. At last a gallant and successful action on the part of some native Nicaraguans, emboldened them to advance. A party of these had loopholed, and made otherwise defensible, a *ranch*o or cattle-station at San Jacinto, in the Chontales country, on the north side of the Lake of Leon. A detachment of the filibusters, under Colonel M'Donald, hearing this, attacked the *ranch*o on the 5th September, but were repulsed with some loss. When this became known at Granada, a large number of Americans volunteered to make another attack. They were led by Colonel Byron Cole, the individual who had first suggested to Castellon to call in Walker to his aid. On the 16th September, the volunteers attacked the *ranch*o with great vigour, and penetrated within the outer palisade surrounding the stock-yard. But the house in the centre of the stock-yard was filled with armed men, who kept up a murderous fire on the assailants, and after a large proportion of their number had fallen, the Americans were obliged to beat a retreat. Byron Cole himself was among the slain. This success, as we have said, aroused the torpid army at Leon to action, and about the end of September they advanced in force under General Belloso, Walker's garrisons at Managua and Masaya retiring before them. At Masaya,—a large Indian town only twelve miles from Granada,—they halted, irresolute apparently, whether or not they should attack the filibusters in their last stronghold. Observing their indecision, Walker resumed the offensive, and marched upon Masaya on the 11th October, with a force of about 700 men. The allies, who were certainly far more numerous, but whose artillery was inferior to that of the filibusters, were driven out of the suburbs and a portion of the town, and in the course of twenty-four hours fighting the American sappers and miners had nearly worked their way up to the grand plaza, when the intelligence was brought to Walker that a large force of the allies, which had been detached unobserved from the main body during the fighting, were attacking the feeble American garrison left in Granada. Walker

immediately drew off his men and marched back to Granada. On the crown of the hill above the city, near the Jalteba church, some Guatemalans with two guns were posted, and opposed his advance. Their resistance was stubborn, and their well-served guns inflicted severe loss upon the filibusters, but they were at last overpowered, and driven down the hill towards the city. When the Americans reached Granada, a scene of confusion and desolation met their eyes. The garrison, consisting, according to *El Nicaraguense*, of only 150 men under Brigadier Fry, occupied the grand plaza, from which the Guatemalans, who numbered, according to the same not very veracious authority, some 600 or 700 men, had been unable to dislodge them. But the rest of the city was at the mercy of the allied soldiery, who proceeded to plunder the houses of all American residents, and their Nicaraguan sympathizers, and to commit other excesses. They shot down several American residents who had never carried arms during the struggle, among them a Methodist preacher of the name of Ferguson, and an agent of the American Bible society. The only palliation which these barbarities admit of, lies in the fact that the Americans in Nicaragua had themselves confounded all distinction between combatant and non-combatant, as we lately saw in the case of the second attack on San Jacinto, which was conducted mainly by volunteers.

At Walker's approach the Guatemalans, who were plundering in different parts of the city, retreated, carrying their booty with them, and the filibusters were too much exhausted to pursue. It was the 13th October, the anniversary of the day on which Walker had surprised and captured the city the year before. Since then, in spite of the large reinforcements he had received, what had the freebooter effected? He had in the interval merited and incurred the execration of every honest Nicaraguan, as well as the hostility of the neighbouring republics. He actually held at this moment not one foot more of Nicaragua than his soldiers stood upon. These thoughts must have sunk into and mortified the ambitious soul of the freebooter, but to those around him he showed an unbending and hopeful front. His scribes were instructed to give the necessary colour to the events of the preceding days, and the "victories of Masaya and Granada" were soon

paraded in the largest type in all the newspapers of the Union.

During the remainder of October the opposing camps faced each other, but did nothing, a feat in which the allies seem to have been particularly skilful throughout. Costa Rica meanwhile had been preparing to renew the struggle. Her Congress had voted 75,000 dollars for the prosecution of the campaign, and two vessels of war had been fitted out to cruise off the Pacific ports of Nicaragua. But as every fortnight brought new accessions of strength to Walker, in the shape of men or stores arriving by the transit route from New York, New Orleans, or San Francisco, President Mora resolved to direct his chief efforts to the closing of that route. The first attempt was made on the Pacific side. General Canas, marching from Costa Rica with 200 men, and being joined by about the same number of Nicaraguans, occupied without resistance on the 7th November the port of San Juan del Sur. Next day he was joined by 300 Guatemalans from the allied force at Masaya; these he left in charge of San Juan, and took up a position with his Costa Ricans on the high ground between it and Virgin Bay. Here General Hornsby, with the garrison of Virgin Bay, attacked him on the 9th November, but was repulsed. Hornsby at once sent intelligence of his defeat to Walker at Granada. Walker knew that it was of the utmost importance to maintain his hold upon the Transit route, whether with a view to receiving reinforcements, or, if it came to the worst, making a safe retreat from the country. He therefore took with him a large body of riflemen, and proceeded by steamer on the 12th instant to Virgin Bay, whence he led his whole force against Canas. The latter had been abandoned meanwhile, for some unexplained cause, by the Nicaraguan portion of his force, and found himself not strong enough to risk a battle. He therefore led his men slowly and in good order to Rivas. The Guatemalans in San Juan del Sur seem to have done the same, and Walker, having re-occupied the place, left 175 men there, and returned on the 13th to Virgin Bay, and thence to Granada. He now felt that unless he could achieve some decisive success, his advanced position at Granada could no longer be retained. He accordingly made one more desperate effort to defeat and drive back the allies at Masaya. He marched there on the 15th November with



his whole force, but after three days fighting in the streets, with heavy loss on both sides, the filibusters were compelled to give up the attempt, and retire upon Granada. Walker had now no course open to him but to concentrate his remaining forces on the Transit route. But first he resolved to leave behind him in the ruins of Granada a lasting monument of his disappointment and his revenge. On the 21st November he caused his followers to be paraded in the plaza, where they were addressed by one of his officers in the following terms:—

“Fellow soldiers, his Excellency President William Walker is fully aware of the fact that for the last eight months you have not received one dollar in cash for your long and faithful service, and he deeply regrets that the commercial community have not yet discovered the value of his treasury bonds. The advance of these d—rebels from San Salvador, Honduras, and Guatemala, in overwhelming numbers, renders it necessary for us to evacuate Granada, and since we cannot enjoy it, he is determined *they* shall not.”

The catastrophe that followed is thus described in the *Times* of the 19th June last:—

“Every house and church was to be burnt, Walker reserving to himself the plunder of the churches. Well was the ruthless mandate obeyed by the scoundrels who were told off to execute the accustomed work in symmetrical form. Eight churches, described as magnificent, were plundered and destroyed. All else that could be burnt..... was committed to the flames. Let any one imagine all that he has read of in the disastrous history of a town taken by storm, when the passions of a brutal soldiery, mad with combat and drink, have reigned triumphant for a while, and he will have a picture of the condition of Granada on that unhappy day. Forty-eight church bells, many of which were said to be half silver, and a great store of silver ornaments, constituted a portion of the spoil peculiarly grateful to the chivalric feeling of the commander.”

While these worthy “pioneers of civilization,” as philosophical Americans love to designate their filibustering countrymen, were engaged in the work of destruction, Walker, with a small portion of the force, embarked in one of the steamers on the lake, having left orders with General Henningsen, his second in command, to follow as soon as the work of incendiarism had been effectually done. But on the 22nd November the allies, having been informed of what was going on, marched to Granada. They divided their forces, part entering the city on the land side,

part advancing along the shore of the lake, between it and the city. An old fort at the landing place, which was garrisoned by 29 men, was taken by this division after a stubborn resistance, and its defenders put to the sword. The division which entered the city soon chased out of it with loss the filibusters commanded by Henningsen, and forced them to retreat towards the lake. But finding his retreat cut off in that direction, Henningsen took possession of a large church which stood near the road leading from the city to the lake. Here he prepared for an obstinate defence. The allies invested the church, but their proceedings from this point appear to have been characterised by anything but vigour, and after blockading the place for about a month, General Bellosó withdrew his troops in the most unaccountable way, and allowed Henningsen, with his 350 men, to escape to the lake and join Walker. But for this extraordinary negligence Walker's career would have been cut short some months earlier than it was. But after being joined at San Jorge (a village near Rivas) by Henningsen about the end of December, he found himself strong enough to compel Canas to retire from Rivas and join the allies near Granada. Walker then occupied Rivas, which was thenceforth his centre of operations. Reinforcements were now arriving at a greater rate than ever, and the chances seemed equal whether the allies, whose proceedings had all along betrayed a want of vigour and union, would advance and endeavour to seize the Transit route, or throw up the enterprise in despair. But about this time a gallant exploit performed by Costa Rica inclined the wavering scale, and decided the fate of Nicaraguan filibusterism. This was the seizure of the river and lake steamers belonging to the Transit Company in the last week of December, 1855. A full account of this gallant enterprise, taken from authentic sources, appeared in one of the magazines last year,\* and it will therefore be sufficient here to indicate its main outlines.

The river San Juan was guarded for Walker by posts stationed at Fort San Carlos, Castillo Viejo, and Hibbs' Point. The party of Costa Ricans selected for the perilous service of wresting the command of the river out of the freebooter's hands, consisted of only 120 men, under

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\* Blackwood's Magazine, May, 1856.

Colonel Fernandez. They embarked on the 16th December, in canoes and rafts on the San Carlos river, which joins the San Juan a few miles above its junction with the Serapiqui. Their guide was a Mr. Spencer, an agent of Vanderbilt the great New York capitalist, and an *employé* under the former Transit Company. They surprised and bayoneted the post of fifty men at the Serapiqui, and proceeding down the river, still in their frail canoes, reached Greytown early on the 24th December. Colonel Fernandez at once seized upon four steamers belonging to the Transit Company as lawful prizes. The United States consul, Mr. Cottrell, applied to Captain Erskine, the commander of the powerful British squadron then lying at Greytown, to prevent the seizure. It was fortunate for the interests of freedom that England, and not the United States, had the upper hand at this time in Central American waters. It had not always been so. In April 1856, the *Eurydice* was the only British man-of-war at Greytown, and Captain Tarleton had instituted a sort of blockade of the port, in order to prevent filibusters from passing up the river to join Walker. The American government were highly incensed at this, and sent down Commodore Paulding to demand reparation. Captain Tarleton received instructions from home to discontinue the blockade, but the menacing tone of the American government seems to have determined the ministry to send an overpowering force to Greytown. A letter from the French correspondent of the *Pays*, (4th September, 1856) describes in terms of the highest admiration and delight the appearance in that small harbour, on the 28th July, of a magnificent screw squadron, consisting of one two-decker, the "*Orion*," 90, five steam frigates, and three gun-boats, the whole under the command of Captain Erskine, in the "*Orion*." England, therefore, on the 24th December, was master of the situation at Greytown, and when appealed to, she threw her sword into the scale of humanity and justice. *O si sic omnia!* Captain Erskine thus replied to Mr. Cottrell:—\*

"To prevent all misapprehension, I think it right to state that the steamers and other property belonging to the accessory Transit company, being at this moment the subject of a dispute between

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\* Panama Star, 19th January, 1857.

two different companies, the representatives of which are on the spot, and one of them authorizing the seizure, I do not feel justified in taking any steps which may affect the interests of either party.

"With respect to the participation of a force of Costa Ricans in the seizure and transfer of the steamers alluded to, I must observe that these steamers having been for some months past employed in embarking in this port and conveying to the parties with whom Costa Rica is now carrying on active hostilities, men and munitions of war ;—it appears that as a non-belligerent I am prohibited by the law of nations from preventing the execution of such an operation by a belligerent party."

So the Costa Ricans took their prizes up the river, sending on a steamer to ascend the San Carlos to the embarcadero, or landing-place, at the head of the navigation of that river, and apprise General Mora of their success. This active officer was waiting at the embarcadero with 800 men. Taking the command of the entire force, he proceeded to Castillo Viejo, captured Walker's detachment there, and two more steamers, and thence went on to Fort San Carlos, the garrison of which was also easily overpowered. Here the two lake steamers, which had been of invaluable service to Walker by enabling him to move rapidly from point to point, came up, bringing the American passengers from California, who had heard nothing of what had passed. These boats also were captured, but Mora sent one of them on to Greytown with the Californian passengers. The officer in charge, after landing them at Greytown on the 7th January, had the satisfaction of seeing a large steamer, the *Texas*, carrying 250 filibusters, arrive in the bay, and of enjoying in imagination, as he steamed up the river, the wrath and disappointment of the baffled ruffians, whose piratical plans were thus unexpectedly disconcerted.

Perplexed by the non-return of the lake steamers, Walker sent a boat with eight men to Fort San Carlos on the 15th January to enquire the cause. The boat was of course captured, and General Mora thus learned that Walker had but 800 men left, including the sick and wounded. Mora proceeded next day by the lake to Granada, and opened communications with the allied generals. A council of war was held, at which Mora was strongly pressed by the other generals to take the post of Commander-in-chief. He refused at that time, and a plan of operations was agreed upon by which the allies were to

march along the shore of the lake, and attack San Jorge, while Mora with the steamers was to cruise up and down, threatening a descent at different points, so as to distract and harass the filibusters. After some delay the allied army, commanded by General Xatruch, numbering altogether about 1500 men,—General Canas, with his Costa Ricans, leading the van,—marched on the 28th January, and entering San Jorge without opposition, entrenched themselves there during the night. On the next and several following days the filibusters in Rivas bravely attacked their position, but were always repulsed with loss. For the remainder of February both sides remained on the defensive. About the end of the month Xatruch was superseded by General Mora, and the siege of Rivas was then pressed in earnest. Desertions from Walker's army now became frequent, and were greatly stimulated by a proclamation in English, bearing the signature of the President of Costa Rica, many copies of which were clandestinely introduced into Rivas, offering a free passage to their own country to any of Walker's officers and soldiers who would leave his service. No fewer than 150 deserters gave themselves up in the month of February.

Leaving Walker in this desperate condition, like some savage beast round which the toils of the hunters are gradually closing, let us glance at the contemporaneous operations on the San Juan River. The filibusters who arrived at Greytown on the 7th January had found themselves unable, as we have seen, to proceed up the river. In the course of a month they were joined by several hundreds more from New York and New Orleans, whom the capitalists concerned in the new Transit Company, fearful of losing their ill-gotten privileges if Walker should be expelled from the country, strained every nerve to forward. But many of these, becoming enlightened as to the true nature of the service they had enlisted in, abandoned their colours soon after they landed. There remained in the beginning of February about 470 men, under the command of Col. Lockridge. They had contrived to patch up an old worn-out boat, which the Costa Ricans had overlooked in the general seizure of the steamers on the 24th December. In this, a body of 200 men proceeded up the river and attacked the first Costa Rican post at Hibb's Point on the Serapiqui. Two attacks, on the 6th and 7th February, were bravely repulsed by the garrison; but a third, on the

13th, was so far successful that the Costa Ricans, who were suffering from sickness and insufficiency of provisions, evacuated the position in the night, and having no steamer at command, were obliged to retreat up the valley of the Serapiqui, instead of in the direction of Castillo Viejo, as they had been instructed. This had nearly caused a great disaster. For the filibusters, encouraged by their success, proceeded up the river, and on the 16th February, appeared suddenly before Castillo Viejo. The old castle was held by about thirty men, commanded by a young Englishman, George Cauty, whose father is settled in San José, the capital of Costa Rica. For three days this gallant little band repulsed all the attacks of the filibusters. On the 18th, Cauty contrived to despatch a boat to Fort San Carlos, a distance of thirty miles, with a letter to Mora, soliciting reinforcements. On the same day he held a parley with the leader of the filibusters, who urged him to surrender the castle; alleging, though untruly, that he had a thousand men on the river, and that all the forts, including Fort San Carlos, had fallen into his possession. Cauty asked for and obtained a suspension of arms for twenty-four hours, at the end of which time he promised to give a decisive answer. The term expired, and Cauty sent word to the filibuster that he and his men would die beneath the ruins of the fort sooner than surrender it. The firing then recommenced; but hardly had the first volley been given, when fifty Costa Rican riflemen, led by the officers Ortiz and Alvarado, who had come by a forced march from Fort San Carlos, made their appearance in the rear of the Americans, and soon changed the face of affairs. Charging with the bayonet, the riflemen broke with ease the American lines, and dispersed them in all directions, after the loss of a large proportion of their force. This brilliant affair put an end to filibusterism on the San Juan. Col. Cauty, with an armed force, descended the river in April, and found that Lockridge had disbanded his men, many of whom were in a state of absolute destitution. By the judicious intervention of Capt. Erskine, an arrangement was concluded by which the remaining filibusters, 350 in number, were to be sent in a British man-of-war to New Orleans, the cost of their passage being jointly guaranteed by the agent of the Transit Company and Cauty on behalf of the state of Costa Rica. This arrangement was carried into effect without delay, and



filibusterism on the Atlantic side of the country was extinct.

The defeat of Lockridge gave the *coup de grace* to Walker. We have seen that at the end of February he was at Rivas, hemmed in by the allied forces. All through March and April he held his ground, defending himself with a pertinacity worthy of a better cause. General Mora succeeded in completely investing the place, and in drawing closer and closer the circle of his posts, but each step in advance cost many lives. The filibusters were reduced to living upon the flesh of horses and mules. Meantime an United States' sloop-of-war, the "St. Mary's," commanded by Captain Davis, came to San Juan del Sur. Acting under orders from his government, this officer first proceeded to the allied camp, and came to an understanding with General Mora. He then sought an interview with Walker, and urged him to capitulate. The stubborn nature of the freebooter resisted all solicitations, and Captain Davis was at last obliged to inform him that he should deem it his duty to seize the "Granada," Walker's schooner, then lying at San Juan del Sur, unless he acceded to his proposals. This settled the matter. The capitulation was signed on the 1st May, 1857; on that day Walker and the remainder of his band, between 400 and 500 in number, marched out of Rivas with their side-arms, and embarked at San Juan del Sur, for Panama.

There was great rejoicing at San José, and throughout Costa Rica, when the news of the capitulation was received. And as the victorious soldiers, leaving the burning plains of Nicaragua, climbed up the passes leading to their mountain home, doubtless many a heart swelled with thankfulness to that God, Who had once more "exalted the humble," and "scattered the proud in the conceit of their heart," and Whose heavy judgments upon themselves and others of their race,—pestilence, scarcity, rapine and war,—had at last been crowned and compensated by such signal and memorable mercies.

Several reasons have induced us to relate the history of Walker the Filibuster, at considerable length. In the first place, his adventures and their close, if rightly weighed, seem calculated to dispel many prevailing illusions, and to project a ray of light into the womb of the future, by which we may conjecture with some probability what is likely to be the general course of events on the

American Continent. Many anticipations have been falsified, many theories disconcerted, by the failure of Walker's expedition. Only last year, the whole American press, and some of the leading English papers, entertained such overweening notions of American prowess, and so utterly despised the Spanish Americans, that when Walker's government was recognized in May, 1856, by President Pierce, the question relative to his holding his ground was regarded as entirely settled. For instance, the New York *Herald*, (quoted in the *Times* of the 2nd June, 1856,) while exposing the contemptible inconsistency of Pierce's conduct, in recognizing in May that government which he had refused to recognize in December, speaks of Walker's triumph over all opposition as now inevitable. "Henceforth," it says, "apprehension as to Walker's success becomes gratuitous and puerile." So the *Times*, in its city article of the 2nd May, 1856, after recording the Costa Rican victory at Santa Rosa, expresses a doubt whether "this unequal struggle" can continue much longer. And the theory on which these anticipations rested, is boldly sketched in the letter of an American to the *Times*, written about the same time. The writer justifies filibusterism as the disagreeable but inevitable means by which the great end—that of Americanizing the whole Continent—is destined to be attained. The filibusters, according to him, are the pioneers of Anglo-saxon civilization,—they are to spread over the benighted regions to which their influence extends, the blessings of commerce, and "the language of Shakspeare and Milton"—that of Cervantes and St. Teresa being of course not worth preserving!

Alas, how are the mighty fallen! where are these confident expectations now? Not by foreign assistance, but with their own right hands, in spite of grievous dissensions among themselves, these "mongrel" Central Americans, for whom a Yankee cannot find words to express his sovereign contempt, have routed and expelled from their borders the legions of well-armed freebooters, backed by immense resources in monied power, which for eighteen months the American ports never ceased to launch forth upon their shores. As the events of 1848 and 1849 must have opened the eyes of many an enthusiastic dreamer, and proved to him that democracy and socialism were *not* the panacea for all the ills of old Europe, that the course

of human development did *not* lie in that direction, so the history of Walker, and the noble deeds of the Costa Ricans, ought to disabuse the minds of those who have hitherto taken the Americans at their word, and acquiesced in that wild dream as to the "manifest destiny" of the American union, which their inordinate vanity has rooted in the national mind. We have seen that even with inferior numbers, the Costa Ricans, having a good cause, were more than a match for their American opponents. Nor is this to be wondered at, for men who are fighting for justice, freedom, and religion, for all that makes life and country worth having, are not likely to be easily mastered by men whose only moral support in the day of battle is a preposterous theory as to the superiority of their own race, who by no means exceed their opponents in intelligence, and whose physical powers, though perhaps naturally greater, are enfeebled by a trying and uncongenial climate. The Americans, it is plain, have formed a wrong theory about themselves, their capabilities, and their destinies; it has been tried by facts, and it has broken down; and we recommend them to set about constructing another and a more modest one.

Secondly, we trusted that by giving a faithful picture, so far as our imperfect materials allowed, of the heroic conduct of Costa Rica, and, in a lesser degree, of the other Central American States, we might contribute to correct public opinion respecting them in this country, by which they have been hitherto too slightly regarded, and help to create an interest in their favour, which may be of service to them in future emergencies. For their danger is not yet past. While we write (November) a fresh expedition, fitted out at New Orleans and Galveston, is probably on its way to the shores of Costa Rica, consisting of a force of 1800 or 2,000 filibusters, headed by Walker, who no doubt is burning to efface the humiliation of his late defeat. Mr. Buchanan, it is said, is determined to stop this expedition if he can, but it is to be feared that the federal officials at the South sympathize so warmly with its promoters, that the intentions of the government will not be carried out. Now we entertain no doubt whatever that the brave Costa Ricans would eventually give a good account of these American pirates, though their number were ten times greater than it is. But in the name of civilization and our

common humanity, is it to be endured that an independent state, with which the United States are on terms of perfect peace and amity, should be invaded by American citizens, and subjected to all the risks, expense, and anxiety of a state of war,—that its territory should be ravaged, and its houses and churches plundered and burnt, because the United States government is not strong enough to prevent its citizens from turning pirates? If it is not, then it abdicates its own proper functions, and other nations must undertake to discharge them. England and France are strong enough, and surely will be manly and generous enough, to put a stop with a high hand to these infamous proceedings. English men of war have been employed, and rightly employed, in putting down piracy in the Chinese waters, where the chief sufferers are the Chinese themselves. Will England now hesitate to employ them against these pirates of the Gulf of Mexico, who are threatening an unoffending Christian people with all the horrors of war?

One last remark as to the connexion of filibusterism with slavery. There can be no doubt that the chief reason why projects of annexation, such as Walker's, are so popular in all the Southern states, is the political interest which the South has in the creation of new slave states, to counterbalance in the federal legislature the growing power and increasing population of the free North. Hence the annexation of Texas, the filibustering inroads into Lower California, and the various attempts which have been made to negotiate the purchase of portions of the Mexican territory. Walker is in feeling, as by birth, a Southern; he was reared up in the midst of slavery; and one of his earliest acts after assuming the Presidency of Nicaragua, was significant of his future intentions. This was the publication of a decree repealing all the laws that had been passed by the federal legislature of the old Central American republic, among which was one declaring slavery illegal. Some of his supporters have asserted that Walker, in this measure, was not thinking of slavery, but merely intended, like another Lycurgus, to make a clean sweep of all existing laws, in order to build up the constitution and code of Nicaragua *ab ovo*. But the approving comments of the New Orleans Delta, and other pro-slavery newspapers, prove what was the real animus of the measure. Walker, however, has not left us in doubt on the subject

of his sentiments. In a speech addressed to an immense public meeting at New Orleans shortly after his expulsion, he said that "it might be unfortunate that he could not consider slavery a moral or political wrong;" "his teachings had not perhaps been of the Wilberforce school;" and he proceeded to eulogize the act of Las Casas in first introducing negro slavery into the West Indies in the 16th century. The British nation therefore, which has made so many laudable exertions to prevent the extension of slavery, may rest assured, that if Walker or any other filibuster should succeed in "Americanizing" Nicaragua, and the rest of Spanish America, all those countries, which are now free from that curse, would at once have the "domestic institution" introduced into them. Left to themselves, they and Mexico, if an honest and strong government made life and property secure, could raise by free Indian labour a large proportion of the cotton required for our manufactures, and thus give a deadly blow to American slavery. But this is a subject of too great interest and importance to be treated summarily at the close of an article, already we fear too long.

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ART. V.—1. *The Record*. London, 1857.

2. *The Watchman*. London, 1857.

3. *The Christian Observer*. London, 1857.

**A**MONG those household words which have acquired an unhappy notoriety in Protestant England, a prominent place must be given to that class of language, in which the Catholic Church is usually described as a system that teaches its members to put their trust in senseless forms and external rites, rather than in the real substance of religion. It must, indeed, be admitted, that the principles of the Catholic religion are much more extensively and accurately known at the present day, than they have been for many previous generations. Some forty or fifty years ago, and it may have been said with perfect

truth, that the English nation was altogether ignorant of the primary doctrines of Catholicism. A darkness more than Egyptian rested over the whole land. Catholics were a people of a bye-gone age, and the Catholic Church an institution of the past. In those times there was very little intercourse with the Continent of Europe, except in a way that was ill-calculated to remove religious and national antipathies. And although there were in England, then as now, many bold witnesses to the faith, and although, then as now, there was a remnant which was being added continually to the Church, yet, partly from the political disabilities under which we laboured, and partly from the paucity of our numbers, we were unable to make any perceptible impression on the nation. There were, of course, controversial discourses for and against Catholics. There were Acts of Parliament framed with a view to the extirpation of the religion. There were hot-headed ministers, and fanatical alarmists, who saw in every concession to justice, the death-blow of their beloved Protestantism. There was, above all, that indescribable fear of Catholicism, which fastens with an almost fatal tenacity upon those who have lapsed into heresy and schism. But even this fear, however real and genuine, was beginning to subside and die away, because the impression was everywhere gaining ground, that the Catholic religion could never again rear its head in the face of modern enlightenment, that its vigour was gone, and that its power of attraction had passed away for ever. It is to this impression that in a great measure we owe emancipation. Men became liberal, because they thought that the time had gone by for dreading any revival of the ancient faith. But why did they think so? What was the suppressed premise, on which was founded all that process of thought and reasoning, which enabled them consistently,—and we might say—conscientiously, to adopt a political line of conduct favouring justice and toleration? We must acknowledge, we fear, that their process of reasoning was not very complimentary to ourselves. They argued in some such way as this. The Catholic religion is a system that can never stand the progress of the human mind. It is a religion more for the childhood of mankind than for his manhood. It was all very well in “the dark ages,” but its hour is over. A miserable superstition, a religion of crossings and genuflections, of empty forms and vain cere-



monies,—it contains nothing within it that can possibly influence or attract educated minds. In a Protestant country, and amongst a Protestant people, it has no chance of the smallest success. Its formalism and its gloom, if once confronted with the pure religion of the Bible—the pure light of Protestant truth—must give way. The day therefore is past for dreading its influence, or its power, and there is, consequently, no reason why we should continue to persecute it.

Considerable progress has been made, since the era of emancipation, towards a more correct knowledge and appreciation of the Catholic religion. Awakening as a giant refreshed with wine, the Church has caused its sound to go forth into all the land. Formerly it was seldom spoken of, because it was in fact hardly known. Now it is in every man's mouth. Where is the class or rank in society, in which Rome and Catholicism do not form the subject of ordinary conversation? It penetrates everywhere. The public newspapers find it profitable to occupy their columns with frequent discussions concerning Catholic principles, and with coarse abuse of the Catholic Church. In the political clubs, at the university common rooms, in the midst of the family circle, in the cottages of the poor, the question of Rome is a subject of conversation, if not always agreeable, at least always full of interest, sometimes of anxious inquiry. No one can deny that there is abroad a wonderful spirit of curiosity about Rome, if we cannot always call it by a higher name. It is this mingled spirit of half-earnestness and half curiosity, that fills our churches on Sunday evenings with such numbers of Protestant men and women. And one necessary result of all this discussion, inquiry, curiosity, or by whatever other name the spirit abroad is to be called, is to be seen in the gradually increasing knowledge of the doctrines and principles of the Catholic religion. We are never now-a-days surprised when we meet with people who prove themselves to be familiar with our books, who profess a belief in many of our dogmas, and who boast that they have adopted, and that they practise several of our customs. It is, indeed, true that such persons are, for the most part, to be found in certain classes of society, and in a particular section of the national church. But it is no less true that they are by no means to be exclusively found there. They are literally everywhere; and very often in

quarters where you least expect it, you meet with persons who astonish you by the amount of their Catholic information, and by the sincerity of their Catholic sympathies. Yet remarkable as has been the progress everywhere made in the apprehension of the real doctrines of the Church, this progress is, after all, more relative than positive. Comparing things now with what they may have been some fifty years ago, a remarkable change has undoubtedly occurred in the position of the Church, and in the degree in which its nature and character are understood; but looking at the religious mind of England as it actually presents itself to our view, we are not less amazed at the ignorance which everywhere meets us, than with the amount of knowledge that is at the same time spreading through the country. Men who are sharp and clever in every other matter are blind and stupid in all that relates to the understanding of the Catholic religion. The remark has been very often made, that persons who would be ashamed to be detected in an ignorant statement respecting the religion of Mahomet or of Buddha, are frequently found enunciating the most stupid platitudes with regard to the Catholic faith, the falsehood of which they could easily enough learn from the ordinary penny catechisms. There are large and influential religious communities in England, who are as profoundly ignorant of the commonest doctrines and principles of Catholicism as if they lived at some remote corner of the globe, where the cross of Christ had never as yet penetrated. The Tractarianism of the universities, and the hereditary high-churchmanship of the Established Church, have imbued individuals and families among the higher classes with a certain tinge of Catholicism, more or less accurate as the case may be; but these æsthetical forms of religion have not impregnated the masses either of rich or poor; or at least have not done so to such an extent as to take away, in any reasonable measure, that intellectual blindness which has hitherto proved so impenetrable a barrier to the light of the faith. What, for example, do the Independents know about the Catholic religion? Or the Baptists? Or the Presbyterians? And how many families are there throughout the land, educated in so-called "evangelical" principles, who by the very circumstances of their education, their quiet domestic life, their seclusion from general society, and their total want of

the means of information, know nothing about the Church of Christ, except what they have learnt from a debasing and a corrupt tradition? This ignorance, its existence and its permission, is to our mind one of the most unfathomable mysteries within the range of Divine Providence. Doubtless it is a terrible judgment from Him who visits the sins of the fathers upon the children unto the third and fourth generation. It is a judicial visitation in punishment for the pride and rebellion of three hundred years. "Seeing they shall see, and shall not perceive, and hearing they shall hear, and shall not understand." But, alas! why should this punishment be permitted to continue so long? And why should it fall upon the little child unconscious of error, the high-minded and manly, the noble and the generous of heart? "*O altitudo divitiarum sapientiæ et scientiæ Dei quam incomprehensibilia sunt judicia ejus, et investigabiles viæ ejus.*"

It is with the phantom conjured up by this profound hereditary ignorance that we have at present to do. All the Protestant sects have much the same tradition respecting the Catholic Church. They conceive of it as of one vast system of *formalism*—the very antipodes "to vital religion." Its doctrine is a superstition, its rites a mummery, its worship an idolatry. For such is the foul idea which minds defiled and polluted by heresy entertain of the Christian Church. And we cannot without pain remember that through the power of the devil this strong delusion has taken possession of the intellects of thousands who yet call themselves Christians. It is the grand artifice of Satan to present to the Protestant intellect a picture of the Catholic Church as unlike the truth as darkness differs from the light, and where he cannot prevail by means of one false portrait, he tries to succeed by another. Those whom he cannot delude by the insane cry of idolatry, he attempts to ensnare by putting on a cloak of spirituality, and accusing the Church of formalism. We shall examine a little into this accusation. It is true, indeed, that the charge has been refuted over and over again; but inasmuch as, despite the oft-repeated refutation, it still exercises absolute sway over hundreds of well-meaning people, it may not be altogether amiss to show how absurd, how untrue, and how utterly untenable it really is.

Truth would be a great gainer if men would take the trouble to analyze the conceptions of their minds, and to

acquire a correct and accurate notion of the words in which they express their thoughts. We should be, therefore, reluctant to argue about formalism, unless we took care at the very outset to explain what we mean by the term. Formalism, then, in our opinion, is a tone of mind, or a system of religion, which pertinaciously attaches supreme consequence to that which is merely and nakedly external;—to rites, ceremonies, forms of address, modes of speech—in a word, to all those things which the inner conscience in the individual, and the explicit expression of belief in the religious system, acknowledge to be “naked and beggarly elements.” In the idea of formalism, we apprehend that these two things are included: (1) undue consequence as to what is merely æsthetic or external: (2) the substitution of the external for the internal. As if a large benefaction to an hospital covered a still continuing and habitual covetousness of heart, or as if previous fasting in the day-time were a suitable preparation and compensation for the intended debaucheries of the coming night. Those were formalists of whom our Lord said that they strained at gnats and swallowed camels; as also those whom He reproved with severity, because they made clean the outside of the cup and dish, while within they were filled with all manner of iniquity. The latter invert the very foundations of religion, while the former make a conscience of that which they allow to be in itself minute, insignificant, and of no moment.

If this, then, be the correct idea of religious formalism, we may well wonder, not only at the charge so commonly advanced against the Church, but at the boldness of those who venture to make it. The old proverb says, that those who live in glass houses should be careful how they throw stones. And certainly in a question of formalism, the Protestant sectarians, if they only knew themselves and their principles, should be the last to presume to speak. For, looking at the matter strictly and yet fairly, what are the various Protestant sects of the day but so many different expressions of formalism in its most objectionable shape? To take, for example, the instance of baptism. The “Evangelicals,” the Baptists, and the Independents, agree that although baptism be a sacrament, yet the want of it cannot exclude a man from heaven, nor is its reception alone sufficient to ensure salvation, even in the case

of infants.\* They moreover agree, that although it be a sacrament, it is not the instrument of regeneration, nor yet a necessary channel of grace to all who receive it without putting any obstacles in the way of its operation. In fact, they are unanimous in maintaining that no inward and spiritual effects are ordinarily connected with it by the institution of Christ! It is, indeed, a holy rite, but nevertheless simply and absolutely external. On pure Protestant principles it is as much a mere ritual observance, a mere outward ceremony, a mere external ordinance, as is the Catholic rite of the washing the feet on Holy Thursday. Nay, the latter, in the Catholic system, partakes more of a sacramental and spiritual character, than baptism does in the purely Protestant. Yet, see how these different branches of the great Protestant family quarrel among themselves, divide from one another, dispute, argue, and contend;—and all on account of that which they unanimously believe to be a mere outward ordinance, neither requisite to salvation, nor a necessary means of grace! They quarrel and dispute among themselves, some insisting that it should be administered to infants, others maintaining that it should not; some advocating baptism by aspersion, others making the immersion of the whole body a grave matter of conscience; some permitting and advocating the use of the sign of the cross in its administration; others with loud voice protesting against so Catholic a practice. And when we ask, for what are they contending? Why do they split themselves up into these separate religious communities—neither holding communion with the other?—we learn from their own admissions, and from their own creeds, that they are disputing, contending, breaking unity among themselves for the sake of a matter which they believe both to be unessential to salvation, and to be no necessary channel of grace; in a word, for the sake of a bare and naked outward rite. If this be not formalism in one of its most exaggerated types, we confess we know not to what else this name can be applied.

We may take as another instance of Protestant formal-

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\* This is certainly the *popular* opinion of Protestants in general, and the *theological* opinion of those who believe the monstrous Calvinistic theory of predestination. Unless we are much mistaken, it was also the opinion of the late Mr. Gorham.

ism, their well-known disputes about Church government. Either Christ ordained one definite mode and order of government in His Church, or He did not. If He did, then only this one mode and form can be right, and every variation from it is a violation of the divine Word and Law. This is the Catholic position. On the other hand, if He did not ordain any definite form of Church government, then the whole question must be so far a matter of indifference, that particular systems can never be made binding in conscience. There would still, indeed, be room for the preference of one system to another, upon grounds of practical convenience, but this predilection could never exaggerate itself into a matter of right and wrong. It could never go so far as to justify the separation of Christian from Christian, seeing that separation must in itself be an evil, and that *unity* is an essential principle in the religion of Christ. Now the Protestant sects, at least at the present day,\* do not believe that there is, by divine appointment, one, and only one, form of church government. It is confessedly with them a mere affair of local order and discipline. The evangelical episcopalian does not believe in the apostolical succession of the bishops of his communion, while the Presbyterian and Independent do not hold that their episcopalian brother is beyond the pale of salvation on account of his prelatical associations. Yet here also these different sectaries are found to be straining at a gnat and swallowing a camel. They elevate a confessedly unimportant matter into a grave principle of conscience, sufficiently grave to justify them in violating that Christian unity which is really a thing of the utmost moment, which is the bond of all spiritual strength, and which the Scriptures so repeatedly urge upon our observance, as being essential to the very existence of the Church.

But from whatever position we view Protestantism, it presents itself to us as the most *angular* of religions. Regarded even from the most favourable side, it is ever reminding us of those well meaning people who are com-

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\* The Presbyterians of the present day have considerably modified their opinion about church government. The earlier members of the sect were very rigid in enforcing their own platform as alone of divine institution. They cannot now-a-days hold this.



monly called impracticable—who are continually startling you with new whims and crotchets, and whose singularities break out where you least expect it, and when you are least prepared for it. There are such people in the world, as every one is aware, and as most people know by actual experience. You begin in all simplicity to act with them, but you are suddenly brought to a dead stop. For where you least thought it, there they discover mighty mountains, and they obstruct you by barriers impassable to their own imaginations. Everything is with them a matter of conscience. Everything a great principle. So it is with Protestantism. It is not merely a heresy, it is an impracticable, angular, crotchety, narrow-minded religion. And in proportion as the particular sect professes to be spiritual in its aims and longings, this angularity stands forth in more unpleasant prominence. Perhaps the most spiritual in its theories of all the sects is that which is called the Society of Friends. Dr. Moehler does not hesitate to praise the system of quakerism for the logical coherence and consistency of its principles. Like Catholicism, it shrinks from no fair deduction from its doctrines; all its facts stand together in the most perfect harmony, and present to the mind a complete system, the architectural perfection of which leaves nothing to be desired.\* This is certainly high praise, coming too from a Catholic theologian of no mean repute. Yet this perfection and this harmony exist only in the theory as it is on paper. No sooner do you attempt to bring this coherent and harmonious theory into action, than its practical oddities begin to appear. If it were really consistent with itself, it would neither need nor sanction any outward observance whatever. It would have no meeting-houses, no rules of government, no officers of administration. It would leave everything to that inward light which the system professes to follow implicitly and solely. Yet we know that practically this is not so. On the contrary, their formalism outdoes that of all the other sects. In matters of real moment, they go without scruple against the plainest language of the Sacred Scriptures. They can see no written authority for baptism or for any other sacraments; although words cannot be more direct and explicit than those in

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\* Moehler's Symbolism. vol. 2, sec. 63.

which these sacraments are enjoined. But in points of no consequence whatever, the same sect exaggerates the literal sense of Scripture, until it becomes an absurdity and an impiety. They set themselves in opposition to the ordinary usages of social intercourse. They scruple about taking an oath in the cause of truth, justice, or charity, although they do not scruple to live and die unbaptised. They render themselves conspicuous by a particular phraseology and a peculiar costume. In all this, not only manifesting the inconsistency of their practical life with their theoretical opinions, but at the same time displaying the offensive and childish formalism which they have mistaken for genuine Christianity. In fact, as is observed by a very able writer, now happily a Catholic, "no sect is so superstitiously formal as the Quakers, who boast of rejecting forms: few so unreasonable, as the Rationalists who profess to go by reason; none (says Mr John Mill) are so incompetent judges of history, as those who think to build political science on history; none argue themselves so weakly, as those who accuse Catholics of arguing weakly; none most certainly are so shallow intellectually as those who dream of supporting religious convictions on an (solely) intellectual basis.\* And thus that self-righteousness and "formalism," which the religionists of the day so frequently charge against the Church, recoils with a remarkable fatality upon their own fallacious systems.

But although it is desirable to show that those who are so loud in their protestations against formalism are really as guilty of that sin as were the Pharisees of old, it is not our intention to rest our vindication merely upon a *tu quoque* argument. Charity requires that we should do all in our power to disabuse earnest men of the wrong impressions about the Church which they have imbibed from

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\* Ward's Ideal of the Christian Church, p. 242. Although this work is professedly concerned with a religious controversy and a state of parties that has almost past away, yet it may still be read with interest and profit. The chapter on the Lutheran doctrine of justification is able, and we should be glad to see it published in a separate form, and enlarged. It exhibits an accurate acquaintance with an intricate and difficult subject, and considering that it was written when its author was still a Protestant, it displays much more theological exactness than was usual with the tractarian writers, excepting, of course, Dr. Newman.

hereditary prejudice. And we may safely assert that if every religious system is to be judged by its acknowledged dogmas and their practical application in the working of the system, we have only to lay before an enquirer a statement of the real doctrines of the Church, and to show how these doctrines operate in practice, and we have disproved the charge of formalism; we have shown that whether right or wrong, the Catholic is the most *internal* and spiritual of all religions, and all the more so, because it does not go against common sense and the requirements of a mixed nature, by refusing to consecrate to spiritual purposes, outward means and external ordinances.

The charge of formalism is supposed to rest upon two grounds. 1st. On the ground that in the Catholic system so much importance is attributed to communion with the Church, to its authority as the guide and instrument of salvation, and to the necessity of the most implicit submission to its rule:\* and 2nd., because Catholicism is pre-eminently a sacramental religion. For these reasons the Church is said to be formal, putting the inventions of men in place of God, and accustoming her votaries to rely upon herself rather than upon their Saviour. Such, if we mistake not, is the usual Protestant language, and such the foundation of this foolish and impious accusation.

It is an odd objection to a religion professing to come from Jesus Christ, that it attaches importance to sacraments, seeing that Christianity must be admitted, in some sense or other, to be a sacramental religion. For if you except the Society of Friends, the great body of Protestants themselves admit the sacramental nature of the religion of Christ. That is to say, they acknowledge that Christianity contains certain sacraments instituted by its divine founder. They baptise, and they administer what they usually term "the Lord's Supper." Hence, on their own showing, no religion can be an integral portion of genuine Christianity, which does not afford a place in its system to at least two sacramental ordinances. Conse-

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\* Into the consideration of the first of these grounds we do not intend to enter in the present article. The Catholic idea of the Church is irreconcilable with any charge of formalism, and we have already imperfectly drawn out that idea in the article on "Christ, the Church, and the Bible." July, 1857.

quently their quarrel with the Catholic Church is not, or at least ought not to be, as to the sacramental nature of Christ's religion, but solely as to the number of the sacraments ordained by our Saviour, and as to their dignity, virtue, and efficacy. They cannot consistently charge it as a fault and a crime against the Church that it attaches importance to sacraments, for unless it did so it would be no sincere and genuine expression of Christianity. If no importance is to be attributed to sacraments, why did Christ ordain them? He surely knew what He was about when He was framing a religion that was to satisfy the necessities and to suit the requirements of fallen man, and it is impossible to charge the Source of Wisdom with either an error or an oversight. He made His religion to be one in which sacraments should occupy a certain place. The very entrance into this communion, and the first right to a participation in its privileges, is acquired by means of a sacrament; nor can any better proof be given as to the nature of a religious system, than the fact of your being met, at your first introduction to it, by the necessity of submitting to a visible ordinance enjoined by its Founder. Now since this necessity is, in some sense at least, admitted by all the more orthodox Protestants, what is the admission but a virtual acknowledgment upon their parts of an additional note of truth in the Church, which they speak of and characterize as a religion of sacraments?

The teaching of the Church with respect to the nature and effects of the sacraments is so very beautiful, and carries upon the face of it so many marks of depth and reality, that it only requires to be known in order to be recognized as proceeding from the Fountain of truth. The religion of Christ boasts that it is a religion of freedom and liberty. It is a deliverance from the infantine condition in which the servants of God were obliged to live under a former dispensation. It is a liberation from the old law of shadows, figures, types, and ceremonials. It inculcates, as its primary principle, the worship of God in spirit and in truth. It will not rest satisfied with anything short of the heart and soul of man, and unless it can reign therein supreme over all affections, it will seem to itself to have effected nothing. Its constant aim is to elevate humanity above the objects and desires of sense; its motto and its preaching are in the words of the apostle, *quæ sursum sunt querite, ubi Christus est in dextera Dei sedens.*

Such, then, being its obvious characteristics and tendencies, if it be asked how it comes to pass that a religion so unearthly and so spiritual should nevertheless consecrate to its service those outward signs and elements that are called sacraments, and should moreover insist upon the observance and reception of some of these sacraments as being necessary to salvation, a threefold answer may be given. In the first place, Christianity, although pre-eminently a spiritual religion, is also pre-eminently a practical one. It is not one thing on paper and another in action, but it is so formed as that it may adequately meet the actual condition of our present human nature. In our present condition man is led on through what is corporeal and sensible to the knowledge and appreciation of what is intellectual and spiritual. In philosophy it is by the induction founded upon observation and experience that we are enabled safely to establish general principles and conclusions, and it is by contact with the visible and sensible world that we are led from nature up to nature's God. Now it is not the intention of Divine Wisdom to overturn or to abrogate this law of our nature; nay, regarding men as they really are, Divine Providence purposely looks out for some external elements through which it can convey its spiritual gifts. Hence the necessity of sacraments, because God, who is the author of nature, has seen in these sensible signs a peculiar congruity with the mixed nature of man.

But another reason why sacraments exist in the Church, and are necessary, springs from the fall of man. Sin has rendered us all subject in affection to bodily and sensible things. The body oppresses and weighs down the mind attempting to rise to spiritual contemplation. The soul is in captivity to the body; and in this condition of captivity it cannot be reached, so as to effect its ultimate liberation, except by means of outward signs, the conduits of internal grace. The remedy must suit the nature of the disease; and in the Providence of God, the most appropriate and suitable remedy is the spiritual medicine that is conveyed through sensible sacraments. And from this arises the third reason for their existence and necessity, as part and parcel of Christianity. By His Divine Religion Christ provides for man as he is, and not as he might have been under other circumstances, and in a different state of existence. As he is, man naturally occupies himself with

what is tangible, sensible, and visible. It is a law of his nature. He cannot act otherwise. And, therefore, he will either occupy himself with what is injurious to his spiritual welfare—with the charms and superstitions of false worship, or he will occupy himself with outward rites, which tend to holiness, which signify and convey that holiness—if such outward rites are to be found. We see here a remarkable instance of the fatherly Providence of God, and the marvellous wisdom of Christ, who has created sacraments for this very purpose, that men might be withdrawn from a superstitious and a debasing worship, and by means of the most holy objects which could be presented to their senses, be led on to the love and culture of spiritual grace. Thus, says St. Thomas, by the institution of sacraments man is instructed through sensible things in a way suitable to his nature; he is humbled, for by the very assistance brought to him through outward elements, he is reminded of his own subjection to the body, at the same time he is also preserved from hurtful and superstitious rites, by the substitution in their place of holy and divine sacraments.\* A reflection, adds Dr. Moehler, much more profound than may appear at first sight; and if the false spiritualism† that, during a part of the middle ages, and at the time of the reformation, attempted to invade the Church and to get the upper hand of her, had paid attention to the grand and humiliating truth contained in it, it would in all probability have been cured of its errors.†

Such, then, being the reasons why outward and visible sacraments are rendered necessary in the Christian covenant, it is easy to infer, even prior to our knowledge of the facts, that their Divine Institutor would make these sensible sacraments as spiritual in their nature, as supernatural and as unearthly as possible. It being His object to elevate man from earth to heaven, from the carnal to the spiritual, and it being His wisdom to effect this mighty change through the *media* of external objects, it would be wholly inconsistent with His Divine purpose, were He to create outward rites in His Church, necessary to salvation, which nevertheless, should contain within themselves

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\* S. Thom. Sum. Theol. p. 3. q. 61. a. 1.

† Mohler. Symbolism. b. 2. sect. 28.



nothing that was unearthly or spiritual. The Allwise Lawgiver could not have been guilty of such an incongruity. The sacraments, therefore, which He ordained in His Church, are indeed external rites and ordinances, but they are also something more, something nobler, higher, more divine. They are, indeed, in the strictest sense, signs, and that too in different ways. They are signs, significant of our sanctification in and through the Passion of Christ. And, therefore, they commemorate that most sacred Passion. They indicate the grace and the virtues that are produced in us through the Passion of Christ. And they foreshadow the glory that yet awaits us in heaven.\* But they do not end in being mere rites of signification. This (as we have said) would be inconsistent with the spiritual nature of Christ's kingdom, and with the object He had in view in the foundation of His kingdom. It is in condescension to our weakness that outward and visible means are at all employed in the process of our sanctification; but Christ has taken care that whenever these external things are made *necessary* to our salvation, they shall be as supernatural and as spiritual as possible. Hence the sacraments are not only *signs*, but *instruments* of grace. They are like caskets filled with precious jewels, or like the outward covering which conceals the juice and sweetness of the delicious fruit within. Under the Christian dispensation the soul cannot be put off with mere signs and types. It is too impatient to reach the source of grace and virtue. It therefore employs the external, but as the means of getting at the internal. It removes the lid of the coffer, that it may obtain possession of the rich treasure stored up within. It penetrates the veil, that it may ravish itself with the beauty of Him who only assumes this veil, in order that He may the more easily effect a union with His Beloved. So real, therefore, on the Catholic system, are the sacraments of Christ, that the visible are but the indices of the invisible, the repositories and the channels of grace, which, like a river overflowing its banks, deluge with their divine waters the intellects, the hearts, and the whole inward being of those who admit their contact and operation.

Herein consists the great mistake into which Protes-

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\* S. Thom. Sum. Theol. p. 3. q. 60. ar. 1 and 3.

tantism has fallen. In its wish to appear spiritual, it has become carnal. Its innumerable sects protest against the Catholic faith, which believes the sacraments to be instruments and channels of grace, by the force of their institution; but in virtue of this very protest, those sects degrade Christianity even to a lower platform than Judaism. Compelled by their own confessions of belief, to admit that some kind of sacramental system occupies, by Christ's appointment, a certain position in the Christian religion, they are also obliged to allow that, at least, *generally* two of these sacraments are necessary to salvation. Yet, in spite of these admissions, they go on to eliminate from the ordinances of Christ everything that in harmony with the spiritual nature of His kingdom, would make those ordinances more than naked and beggarly forms. Do they imagine that by such proceedings as these they are really sustaining Christianity in its just pre-eminence as a spiritual religion? Are they not, on the contrary, by this cold and barren teaching, robbing it of its wealth, injuring its consistency, carnalising its spirituality? On the Protestant theory, the sacraments are an anomaly in the Church. They are out of proportion with its framework. They do not fit in with the rest of the system. You cannot make out why they should be where they are,—why in a religion which hardly admits a visible Church, its Founder should insist upon the observance of two rites, which are in reality mere forms—the eating of bread and wine—the sprinkling of the body with water;—rites, too, and forms, from the use of which if any spiritual effects at all result, these effects must be attributed, and are due, not in any way to the sacramental ordinances themselves, but solely to the faith of the individual recipient. Can anything be more anomalous than the fact of a purely spiritual—an almost invisible—religion, finding itself unequally yoked with two bare and merely typical forms? Doubtless this is to reduce Christianity, not to the level of Judaism, but below that level. It is to render Christianity, not more, but less glorious\* than the preceding dispensation. For, although the sacraments of Judaism had no virtue or efficacy in themselves, by divine institution, yet their shadowy and typical property was in perfect harmony with the reli-

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\* 2 Cor. iii. 7, 8.

gion of which they were a part, which was intended by God through figures and types to lead men on, and to prepare them for the more real dispensation that was afterwards to come. But this religion of types and figures was not to last for ever. It was to give way to Christianity, as childhood cedes to manhood. Protestantism, however, will not have it so. Like an overgrown child it is reluctant to part with its plaything. It drags us back, again and again, ἐπὶ τὰ ἀσθενῆ καὶ πτωχὰ στοιχεῖα, which we thought we had left for ever; and in consequence, the only Christianity which can please its diseased and distorted sense, is one so little in accordance with its professed principles, that it evidently could not have proceeded from the Author of unity. It is strange how men can rest satisfied with a religious system so illogical and so inconsistent, in comparison with which, quakerism has all the semblance and harmony of truth, since quakerism has seen the absurdity of retaining the sacraments as essential portions of Christianity, after having robbed them of their supernatural power and efficacy.

In the Catholic system, everything is at all events harmonious and in its proper place. The grace which sanctifies us proceeds from God alone, its Author and Giver. It comes to us through the Sacred Humanity of the Word made Flesh, and is bestowed on account of the merits, sufferings, and satisfaction of that Sacred Humanity. The human nature therefore of our Saviour may be regarded as being itself the instrument, meritorious and effective, through which, in the first instance, grace flows on its way to us. The Sacred Humanity is the medium between us and the Divine Nature. But the Humanity itself makes use of another instrument, as the hand employs an axe or a stick, and these other instruments are the sacraments; which are between us and the Sacred Humanity, what the Humanity is between us and the Divine Nature of the Son of God.\* The sacraments, therefore, are *media* by which we are joined on to the Humanity of our Saviour, and in consequence of this conjunction, are made partakers of all the benefits of which the Humanity is at once the cause and the instrument. Hence the sacraments, being in themselves the instruments of Christ's Human

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\* S. Thom. Sum. Theol. p. 3. q. 64. ar. 3.

Nature, communicate to us the virtue and grace which is derived to them from the Sacred Humanity. They communicate to us in general, sanctifying grace; over and above this they communicate to us a special and particular grace, suitable to the nature of each particular sacrament, and by three of their number, baptism, confirmation, and order,\* they produce in the soul another effect which is theologically called character. Next to the doctrine of the Eucharist, nothing perhaps can show more clearly the reality and importance of the sacraments, in the Catholic view, than the teaching of the Church about *character*. We will state in a few words the principal points in the Catholic doctrine, without entering upon the consideration of scholastic questions, which have not only little to do with our present object, but for the most part have become obsolete. According to St. Thomas, character is the seal at once of a consecration, a distinction, and a power or capacity. The sacraments of the new law, he tells us, are ordained both as a remedy for sin, and as a means of perfecting the soul in all that concerns the Christian worship of God. Consequently, besides conferring remission of sin, grace, and union with Christ, some among the sacraments bestow upon the soul a certain power or faculty with reference to the Divine Worship in the Christian Church. Now, the Divine Worship consists, either in receiving certain sacred things, or in delivering and transmitting them to others. And for both of these purposes a special capacity is requisite. In the natural order a little infant is incapable of holding in his hand a weighty bag filled with gold, nor can he by his own act, and with his own will, deliver this bag of gold to another. To enable him to receive and to transmit the bag, he must be endowed with strength greater than he actually possesses. So in the supernatural order, the soul is incapable of any action in relation to the service and worship of God, unless it receive a special ability from Him. By itself, and naturally, it can neither be the recipient nor the transmitter of

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\* If it be asked why these three sacraments only, and no others, imprint character, the answer is simply this, because by no other sacraments are we in any way deputed or consecrated either to deliver to others, or to be ourselves recipients of, sacraments and sacramentals. See S. Thom. p. 3, q. 63. ar. 6.

the things pertaining to God. But baptism, in conveying to the soul the grace of regeneration and adoption, at the same time marks it with an indelible seal, distinguishing it from the Jew and pagan, in virtue of which it acquires a spiritual capacity of receiving other sacraments, and of participating in other spiritual things appertaining to the divine service in the Christian religion. Confirmation, again, being as it were, the sacrament of Christian manhood, imprints upon the soul a seal or character of its own. And, as men cannot deliver and hand on to others the sacraments and gifts of Christ in His Church without a special consecration and deputation, the sacrament of order, which confers this consecration, at the same time likewise marks upon the soul its own sacred seal of benediction, consecration, deputation, and separation from the rest of the faithful, imparting an active spiritual capacity that is never to be withdrawn. And as this particular effect of the sacraments, which is called by the Church, character, has reference to the Divine *cultus*, it is an effect that proceeds immediately from the Priesthood of Christ. The whole order and ritual—using that word in a wide sense—of the Christian Religion is derived from Christ's Priesthood. Hence, the consecration which, making a man a Christian, gives him the capability of receiving Christian rites and Christian sacraments, of witnessing for the Christian faith with the vigour and courage of a soldier, and of being employed actively in the care, the administration, and the tradition of holy things, this threefold seal or character is in reality a threefold spiritual action, by which, through the medium of particular sacraments, the faithful, united with the Humanity of Christ, are likened and conformed to His Priesthood; so that, as St. Thomas profoundly concludes, these sacramental characters are nothing else than certain participations of the Priesthood of Christ, derived from Christ Himself.\* And there can be no question but that St. Peter had this effect of these sacraments in his mind, when he addressed the whole Christian people as "a holy priesthood,"† whose privilege it is "to offer spiritual sacrifices well pleasing to God through Jesus Christ." The

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\* S. Thom. Sum. Theol. p. 3. q. 63. ar. 3.

† 1 Peter ii. 5.

power of offering these "spiritual sacrifices"\* is derived from the consecration and character of baptism; and as this character is a participation of the Priesthood of Christ, all the Christian people, bearing on their souls the character of baptism, passively partake of the same priesthood, and in this wide, general, and universal sense, truly constitute "a holy Priesthood."

We thus see, even without entering upon the Catholic doctrine of the Eucharist, how the Church's teaching leads up to the summit of all true religion—Jesus Christ Himself. Her sacraments are so many canals or conduits, conveying to our souls the virtue that flows from the sufferings of Christ. They are sacred caskets, filled with the grace which Christ has merited for us, and which they are the instruments of depositing within our hearts. They are those joints and fastenings of which the apostle St. Paul speaks,† which, by a most intimate union, make us partakers of the Humanity of Christ, and through His Humanity, of His Divinity. Sacred Instruments they are, by which we are joined on in His Body—the Church—to Him Who is its Head—"in Whom all the building, being closely and harmoniously joined together, groweth up into an holy temple in the Lord—in whom you also are built

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\* Divinamente si celebra qui dall'Apostolo la dignità del popolo Cristiano. Tutt' i fedeli formano una sola casa Spirituale, ch' è la Chiesa. In questa casa di Dio tutt' i Cristiani hanno parte al Sacerdozio, non come nel tempio materiale di Gerusalemme, una sola parte di una tribù. Nella Chiesa Cristiana tutti hanno vittime di offerire, vittime sempre gradite al Signore per Gesù Cristo, nel nome di cui ogni cosa si offerisce. *Offerite i vostri corpi* (dice Paolo a' Rom. xii. 1.) *ostia viva, santa, gradita a Dio, &c.* A Dio pure offerisce ogni Cristiano l'incenso delle orazioni l'oro della carità, e delle opere di misericordia, le mortificazione delle passioni, e tutto ciò, che egli fa per onore di Dio. (Martini. in Loc.) It is well known that the Jansenists, following the Protestants, made an improper use of this text, for the purpose of undermining the doctrine of the Church on the Christian Priesthood. But the fact of St. Peter calling all Christians, in a general sense, and with reference to their baptismal character, "a holy priesthood," affords no more ground for denying the existence in the Church of a regular hierarchical priesthood, than the fact of all Christians being called the sons of God, is a reason for denying that Jesus Christ is His Only Son.

† Ephesians iv. 16.



together into an habitation of God in the Spirit.”\* Certainly, whatever difficulties this doctrine of the sacraments may present to minds that have been formed in separation from the Church, it cannot present to them the idea of formalism. It is not only most real in its conceptions, but most spiritual. Beginning with the external sign, it leads you on to apprehend the plenitude of supernatural gifts, of which that sign is the pledge and the repository. And it occupies a position which is in due proportion with the other parts of Christian doctrine. For as the Divinity is united by a hypostatical conjunction with the Humanity, and as the visible Church is a mystical continuation of that Incarnation, so the Sacraments are further manifestations in the same order, whereby the external and sensible element is raised, purified, hallowed, and consecrated to be signs, channels, and instrumental causes of grace. If there be formalism at all, it is certainly on the side of the ordinary Protestantism. How, admitting the existence of sacraments in the Christian Church, men can still hold them to be nothing better than empty figures, and escape this charge, we are unable to imagine. It has always appeared to us that, on the Protestant side, the Quakers have far the best of the argument. We do not see what consistent position there can be between Catholicism, on the one hand, which makes the sacraments divinely instituted canals and conduits of grace, and a religious system, on the other, which denies their very existence. For, certainly, unless they be instrumental causes of grace, they are out of place in a religion so spiritual, and so supernatural as Christianity.†

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\* Ep. ii. 21, 22.

† It must here be borne in mind that we are speaking with reference to what essentially belongs to Christianity, and are integral, unchangeable portions of it. There are, of course, rites and ceremonies of the Church which do not effect, as well as signify grace, i.e. are not sacraments. These rites and ceremonies are the suitable ornaments and developments of a sacramental religion, and no private Christian can despise or transgress them without sinning gravely against the order and the authority of the Church. But no mere rite of the Church is an integral and necessary part of Christianity. In itself it is indifferent, and the Church, if she will, can abrogate it, and substitute some other rite in its stead.

But we must anticipate an objection that may here occur to our opponents. It may be said that however real and profound the Catholic doctrine may be in theory, yet we all know that a religion is very often one thing in theory and another in practice. We ourselves have brought this charge against the Society of Friends. We have asserted that although their system looks so well, and appears to be so consistent and so harmonious on paper, yet that in fact it does not work consistently. When brought into practice it is full of anomalies. It is stiff and formal, and absurdly addicted to vain ordinances, even when most strenuously protesting against their use. And may not this be the same with the Catholic Church? Is it to be supposed that all the vast multitudes who belong to that communion understand, with scientific accuracy, the doctrine taught by their Church? And is it not more probable than otherwise, that the majority, to say the least, are mere formalists, relying upon the outward observance, and forgetful of the professed reality within?

In reply—we claim that the Catholic Church must, in this matter, be judged by the same standard according to which we are willing to judge the sects that are separated from her. In our censure upon the Protestant sects we have had no reference to the professedly careless members of those bodies. We look at the practical working of their system by those who really attempt and wish to act upon them. It is not the careless and neglectful Quaker who is remarkable for his minute observances of the customs and scruples of his sect; nor is it only the indifferent and immoral Protestant, whose habitual slighting of the sacraments illustrates practically the principles of his communion. In forming our judgment we look to the earnest and sincere, and to them alone. We consider what such men as the Doddridges, the Fletchers, the Bickersteths, and the Binneys profess in principle, and carry out in practice; and it is upon the data founded upon their admitted opinions and their usual practice, that we bring them in guilty of degrading Christianity to a miserable formalism.

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The ceremonial of the Church, therefore, stands upon a very different footing from its sacraments; although it is easy to perceive that there exists a very beautiful and (in one sense) necessary connection between the two.

For how does all that class of Protestants known by the term *evangelical* act with regard to the sacraments of religion? They insist, indeed, upon their observance at certain periods, but both their general teaching and their practice evidence too clearly how completely they look upon them as mere external rites. The sacraments have no place in their interior life. They show no solicitude for their reception in times of sickness and sorrow. In England, a large proportion of the people die without having ever received what they call the communion! and this, not so much from impiety, as from the fact, that the national religion attaches little moment to its administration. When evangelical ministers visit the sick at such times, how very rarely does their discourse turn upon the sacraments, and how seldom do they recommend their reception? We remember to have seen the remark made in a review of the *Life of the late Mr. Simeon of Cambridge*, that his biographer does not even give a hint of his having received the Anglican communion in his last illness: and there is little doubt that both his biographer and Mr. Simeon himself would have considered such a ceremony wholly unnecessary at such a time. All this, indeed, shows that the "evangelical" depreciation of the sacraments is the consistent correlative of their theoretical disbelief in their efficacy. But it also shows, that entertaining as they do so low an estimate of the nature and benefits of sacraments, they are as inconsistent in one direction as the Quakers are in another. For with such opinions they ought not to stop where they do. They should advance further, and remove the sacramental element altogether out of their religious system. They should, in fact, become Quakers. And because, instead of thus progressing, they make their naked rites a part and parcel of Christianity, and miscall them sacraments, both their theories and their practice convict them of the plainest formalism in religion.

Turn now to the practical working of the Catholic Church, and you will see how entirely it is the natural development of its profound intellectual convictions. Of course, among the immense multitudes "of all nations and kindreds and tongues," who belong to the Catholic Church, no sane man will deny that there may be much ignorance, superstition, and impiety. There are those who profane the religious rites they receive, and whose hearts are so choked with vice and sin, that grace cannot obtain admis-

sion into them. But such men as these are no criterion of the truth or falsehood of any religious system. We must look to the system itself;—to its acknowledged doctrines—to the spirit which these doctrines inspire, and to the recognised method in which they are carried into practice. And if Catholicism be tried by these tests, we have no fear that it will be condemned of formalism.

1. Firstly, then let us examine what the ordinary practice of the Church is with respect to preparing or disposing people for the reception of the Sacraments. A cold formalism would be satisfied with their actual administration and reception, and would be entirely careless as to what ought to be done, either before or after. But can any candid person say that this is the case with the Catholic Church? We know, indeed, that something of the kind is said by the fanatical members of antipopery associations; but we are writing for men of sense and candour—not for madmen. Can anything be more interior and more real than the practical preparation of ordinary Catholics for the reception of the holy Sacraments? Prayer, examination of conscience, sorrow for sin, meditation on the passion of Jesus, inward acts of faith, hope, and love—these are the usual and indispensable preparations for the graces of the Sacraments. Observe the retreats, and the spiritual exercises in which persons of all ranks and ages meet together to enter into themselves, to make amends for the past, and to fortify themselves against the future. Visit the schools and convents, and question the little boys and girls who are preparing for their first communion. The great event in each of our lives, is the day of our first communion—the great day in which, for the first time, beings so weak and frail were honoured by a visit from their God and Saviour. Yet is the preparation for this event a mere matter of form? Ask the children in our schools, and listen to what they will tell you. They will tell you that, not with more care must a bride adorn herself for her husband, nor with more exactitude must the courtier equip himself to appear in his sovereign's presence, than the soul must be clothed, adorned, and garished, with the celestial flowers of faith, purity, and love, in order that it may be in a suitable condition to entertain the King of Kings on the morning of His first visit.

2. Secondly; As an interior preparation is an essential preparation for the due reception of the holy Sacraments,

so an interior spirit of solid devotion is their habitual and proper fruit. The Catholic Church is really the only body that knows how to unite the external and the spiritual in such a manner as that the latter shall, in reality, rule supreme, without any undue and unnatural depreciation of the former. Its Sacraments ignite a fire in the heart, which procreates a spirit of devotion, gentle, humble, and genuine, that is but faintly and imperfectly imitated in any of the sects. That very spiritualism, after which these communions are striving, is to be found only in the Catholic Church; and in the Church it is protected and assisted by all those wise and holy safeguards, which prevent it from degenerating into a diseased fanaticism, or into an unhealthy enthusiasm. One fact, with respect to the Catholic religion, has often been remarked. The most thoughtful minds have, over and over again, been struck with its "profound acquaintance with the inmost recesses of the human heart."\* Even her enemies advance it as a charge against her, that she so well and so thoroughly understands human nature. Rome, they say, is always wise in her generation. She can enlist in her service, every class and every rank. She can engage and absorb the affections as well as occupy and interest the senses. Without doubt she can. But surely a religion which is thus sufficient for soul and body is, as far as possible, removed from formalism.

3. Thirdly; This knowledge of human nature and the human heart has given birth in the Catholic Church to a kind of literature that can scarcely be said, with truth, to exist anywhere else.† While Catholicism abounds in ascetical, devotional, and practical works, unrivalled for solidity and excellence, the separated sects scarcely know what asceticism means. Whatever they have is either

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\* Ward's *Ideal of the Christian Church*, p. 79.

† "To what single work can they (the Evangelicals) point, written by one of their number, which exhibits, within any assignable degree of approximation, such loving and reverent contemplation of our Lord's Life and Passion, as is seen in multitudes of Catholic books, like Father Thomas's '*Sufferings of Christ*,' St. Alphonsus's '*L'Amour des Ames*,' St. Bonaventure's '*Life of Christ*,' St. Ignatius's '*Spiritual Exercises*,' &c., &c.?" Ward's *Ideal of a Christian Church*, p. 233,—see also p. 80, note; and Oakeley's *Church of the Bible*, Lecture on inward religion, p. 209 and seq.

expressly borrowed from Catholicism, or is good, only in the degree in which it participates, or approaches the Catholic tone. For example, one of the most attractive spiritual writers, if he can be called so, in the English Church, is Archbishop Leighton. His works, indeed, lack the clearness of view, and the joyousness of spirit, which would be the natural tone of a Catholic spiritualist; they are tinged with melancholy, and are Calvinistic in their principles; but still, in spite of these defects, they are evidently the production of a mind that had very earnest longings after an interior life.\* Yet it is impossible to peruse them without observing, that the ascetical tone pervading them, was evidently derived from a Catholic source. Their author was a constant reader of Thomas à Kempis, and it was from him that he gleaned the most of his spiritual principles. Although a Calvinist and a Scotch Episcopalian, he was also a friend of the Catholic priests at Douay, a seminary which he used frequently to visit for the purpose of conversing with those fathers. His biographer tells us that "in this seminary he appears to have met with some religionists, whose lives were framed on the strictest models of primitive piety;" and from the time of his visit to Douay, his principles and views underwent an evident modification. Here, then, is an instance of one of the very best specimens of what may be called a Protestant Spiritualist; and when we inquire into the sources of his knowledge, we find that he is a man with Catholic relations, and that he was a frequent visitor at a missionary college. We are no longer therefore, surprised to find a Catholic tone in his writings, subdued, indeed, and distorted, still breaking out here and there, in spite of error and heresy.

Jeremy Taylor, again, is another favourite Protestant compiler of pious books. His holy Living and Dying were once the most popular quasi-ascetical books of the day. We do not, indeed, wish to mention him in the same breath with Leighton. With all his feebleness, and with all his errors, Leighton, in our humble judgment, was in every way superior to Taylor. Verbose, pompous, and oratorical, Taylor does not impress us with any strong opinion either of his depth or his sincerity. Yet his works, at one time, were highly prized, and extensively used in the Anglican church. If, however, any one will take the trouble to inspect them, he will find that



what is good in them, has been purloined from Catholic writers; and that even many of his prayers are wordy and inflated translations of the collects of the Church. In a word, it is not our ascetical works alone that have been exposed to the ravages and plunder of the heretics. They have seemed to regard the Catholic Church as a great treasure-house, from which they were at liberty to carry away whatever they pleased. Anglicans, Irvingites, Wesleyans, have all attempted to rob the Church. They have purloined from the Church, its music, its prayers, its hymns: in a word, whatever they possess that is of worth or value, the ownership of it may be traced to the Catholic Church. A tolerable proof this, on the one hand, of the innate meagreness of these alienated communions, and on the other, of the richness of the Church in all the aids and resources of the spiritual life.

4. But once more, there is no better evidence of the true spirituality and interior character of Catholicism, than what is supplied by the lives of the saints. Although raised by the grace of God to a higher grade of perfection than is attainable by ordinary Christians, the Saints nevertheless, are the fairest practical exponents of the Catholic religion. They differed from others, not in having been trained and formed upon some peculiar system totally different from the ordinary practice of the Church, but in this only, that they imbibed more thoroughly, and made use of more copiously, that teaching, those sacraments, and that practical discipline, which constitutes the common nourishment and common education of all the Church's members. If, then, the Catholic System be one of formalism, we shall see this formalism exhibited throughout their lives, in its most offensive and glaring colours: but if, on the contrary, the actions of these marvellous servants of God reveal to us a complete conquest of the flesh by the spirit; if deadness to the world, interior recollection, the love of the Cross, the desire of humiliations, and the spirit of prayer be among their most ordinary and prominent gifts, it must, we should think, be evident even to the prejudiced, that the only sure and safe road to the solid spiritualism of real sanctity, must lie through a devout use of the Christian Sacraments in the unity and communion of the Christian Church.

What, then, do we learn from the lives of the Saints?

Of St. Charles Borromeo, we are told that he used to

spend many hours of the day in prayer, and nearly all the night, except a short period necessary for the repose of the body. And in consequence of this assiduity in prayer, it was evident that he was altogether united with God. So that even when he was giving heed to external occupations and affairs, although attending carefully to the matter in hand, his mind was, nevertheless, elevated in God, as if abstracted from all other things it were reposing in Him. This high grade of contemplation he acquired by frequent prayer, to which he united a diligent custody of the senses; avoiding all occasions of distraction, and especially curiosity and the idle news of the day. So that it can be affirmed with truth, that his life was one perpetual prayer, he himself walking continually in the presence of God, and having his thoughts ever fixed on heaven. Moreover, he burned with an insatiable desire of the Divine Glory, and he was always devising means of increasing that glory and spreading the worship of God; so that he thought of nothing, and spoke of nothing but of God, or of the things appertaining to His holy service, desirous to draw all the world into His obedience. Nor did the miser covet more earnestly an accumulation of wealth, than he burned with zeal to increase the honour and glory of his Saviour.\*

"The soul of St. Catherine of Bologna used to ascend to heaven as often as possible; the moment that her duties would allow her any rest she would run to prayer; even while at work, under cover of the silence, she used still to be engaged in this holy exercise; nothing, in fact, but the necessity of communication with her fellow-creatures, interrupted her holy union with God. She would come out of her profound contemplation, sometimes sad, and at other times gay, according to the different affections and feelings she had experienced. This sadness, however, was a mere cloud that was dissipated in a moment; her countenance ordinarily bore the impression of severity and modesty. Whether she was alone, or in company with others, she used to enjoy a profound peace; her confidence in God was not to be shaken, and she never doubted an instant His Infinite clemency. The sentiments and consolations which she used to experience in

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\* Vita di S. Carlo. L. 8. c. 8.

prayer gained her the gift of tears, and by multiplying acts of charity her love became so perfect, that her exile seemed often insupportable to her; such was her desire to be united with God. She had the habit of frequently repeating passages of Scripture, or religious verses of her own composition, in a word, she used to study in all things to praise and glorify God as the Author of all good.\*

The Blessed Alphonso Rodriguez was obliged to confess to his spiritual father, that in the course of an entire day he did not allow as much time to pass by as would suffice for reciting a *Credo*, without recollecting that he was in the presence of God. He had so clear a knowledge of his own nothingness, and so profound a contempt of himself, that from the time in which God poured this light into his soul, he never experienced a motive of vanity; and he had, moreover, so plain an apprehension of the vanity of all created things, that he never more entertained for them the least affection, except in so far as they were associated with God their Creator. He was favoured with the most wonderful gift of contemplation. Whenever turning to God he would say, *O amato mio, O mio desiderio, O voi tutto mio, io tutto vostro*, he felt himself plunged at once into the midst of the immense ocean of the essence of God, and his heart would at such times burn with so holy a love and desire of God, that language cannot express its violence. The more, too, he was favoured with these contemplations, the more did he grow in the practical knowledge of his own nothingness. And such was the strength of his love to God, that he would often express, what contentment and happiness it would give him, if God were to deprive him of life in His sacred service. Nay, the same love used to terrify him at the bare thought of committing a single venial sin. He was more afraid of one venial sin, than of all the torments of this life. His love of God would even drive him to confess, that if it were possible, without any fault on his part, to endure the pains of hell without sin, he would rather do so than go to heaven with a single venial fault.†

While still living in the world, the Blessed Maria Vittoria Fornari was accustomed to feed her spirit continually with

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\* Oratorian Life of St. Catherine of Bologna, Chap. 12.

† Vita del Beato Alfonso Rodriguez, Cap. 12.

prayer. She was used to employ much time every day in holy exercises. She would spend the three hours, from midnight to morning, in contemplation, sometimes even whole nights. The arts employed by the devil to distract her, by apparitions, noises, and insults, were all without avail. She applied herself with so much fervour to prayer, that her handkerchief would be often bathed with tears, as if it had been immersed in water. In consequence of this assiduity in prayer, she obtained from our Saviour two very special gifts,—one was a facility in raising her mind to divine contemplation, even when she had hardly finished business of the most distracting nature; the other was the power of persevering in prayer without suffering distractions. When questioned by her nuns, with respect to her facility in returning from ordinary affairs to contemplation, she replied, My sisters, this gives me no trouble, for it is God that does all. He concedes to me, that whenever I address myself to Him, I absolutely lose the recollection of all that I have seen and heard. As when the windows of a room are closed, no object outside is seen, so through the mercy of the Lord, when, in order to entertain myself with Him, I have closed my eyes to external things, nothing remains with me of those matters, except that which I ought to recommend to Him, without any other object in view than that of His greater glory. And in regard to the other gift, she acknowledged that she was never disturbed in prayer, because, when so engaged, she neither heard nor remembered anything external.\*

In the life of St. Philip Neri we read that "the love of God in him was so excessive, that the interior flame appeared even in his body, so that, sometimes in saying office, or after mass, or in any other spiritual action, as it were, sparks of fire were seen to break out from his eyes and from his face. This interior flame was such that it sometimes made him faint, or forced him to throw himself on his bed, and remain there a whole day without any other sickness than that of divine love. Sometimes even when he was in company with others, he was, as it were, surprised by this flame, and would unadvisedly break out into the words of the Apostle, '*I desire,*' but immediately recollecting himself he would, to conceal his devo-

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\* Vita della B. Maria Vittoria Fornari Strata, p. 111-12.

tion, suppress the rest of the sentence, '*to be dissolved and be with Christ.*' Hence a Dominican who, before he became a religious, used to go to him, affirms that he found him almost always in ecstasy, and what St. Paul says of himself seemed to be fulfilled in Philip, *I am filled with consolation, I more than abound in joy.*

"His devotion and humility at communion were so great that he sometimes covered his face, and remained so for a long while, meditating and making his thanksgiving. If the fathers for any reason were late in coming to give him communion, the distress he felt was so great that he could not sleep till he had received it. In the year 1577, when he was so seriously ill that the physicians had given up all hopes of his recovery, he heard matins ring one night, and as usual asked for communion. Francesco Maria Tarugi, who was waiting upon him, heard this, but he saw that Philip had had no sleep that night, and he was afraid that his devotion, and the tears he used to shed on such occasions, would destroy all chance of sleep, and endanger his life, and so he gave orders that he should not be communicated. But the long delay made Philip suspect the reason, and he sent for Tarugi, and said to him: '*Francesco Maria, I tell you I cannot sleep for the desire I have of the Blessed Sacrament, make them bring me the communion, I shall go to sleep as soon as I have received.*' And in truth, no sooner had he communicated than he began to amend, and in a short time was perfectly recovered."<sup>\*</sup>

The conversion of Margaret of Cortona is one of those remarkable instances in which the grace of God manifests its power in changing the sinner into the saint. For nearly nine years she lived while still a young woman in illicit intercourse with a nobleman of her country, but at the end of that time she was converted to God by the sudden and violent death of her paramour. Henceforward, she devoted with a generosity similar to that of St. Mary of Egypt, her heart and affections to her Saviour. The recollection of what she had been, and her sense of gratitude for the unexpected mercy she had received, compelled her as it were, to lay at the foot of the cross, and to consecrate to God all those natural affections which had once been

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\* Oratorian Life of St. Philip Neri, Vol. i. p. 135-8.

wasted in sin. Where sin abounded, grace now much more abounded. Hereafter, the love and the desire of her heart was Jesus Christ. For Him, and for Him alone she lived. No name, we are told, was more frequently on her tongue than the name of Jesus. With this sacred name she began, continued, and ended all her occupations and employments. She would never mention the name of Jesus without her countenance becoming inflamed with the ardour of a holy love, and without shedding the most tender tears of sweet affection. If she were faint and ill, it was enough to mention the name of Jesus, and her strength would at once revive. If any one wished to see her go into the most joyous ecstasies, he had only to converse with her awhile about Jesus, and in a few moments, abstracted from the senses, she would be lost in Him. Longing after Him, and full of love, she would exclaim in the midst of such ecstasies, O my dear Jesus, whose power has recalled me to grace, whose Blood has redeemed me, whose love has united me to Thyself with the bonds of an inseparable charity!\*

We shall mention only one further instance from the life of a saint of a different order. Francis Xavier was a Spanish Catholic of high family and of rare abilities. From his earliest days he was habituated to all the grandeur and to all the religious luxuries (if one may so say without irreverence) of the Catholic Church in the most glorious time of the Spanish monarchy. Few men had more brilliant prospects on entering into life. His superior talents, his careful education, and his family connections, would have secured for him the highest posts in the service of the state, had he not exchanged the ambition of the world for the love of God. But, like St. Paul, he counted all things to be loss in comparison with the desire of gaining Christ. And when he had surrendered himself to God, he did so with the most complete and most sincere generosity. The heart of this great man was a very large one. It opened itself wide to the full influence of divine grace. It was so noble and so generous, that it made sacrifices without ever seeming to think or know that they were sacrifices. Many a good and holy man, accustomed as St. Francis had been, to all the spiritual advantages of the Catholic Church,

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\* Vita di S. Marg. di Cortona, Lib. 2. c. 4.



flourishing and prospering in an ancient Christian land, would have hesitated to give them up, lest his own soul might suffer from the want of them. But once St. Francis had broken the bonds of self-love, there was no more hesitation about him. He threw himself once for all upon the fathomless ocean of the divine love. It was this love that carried him away into barbarous lands, far from home and friends, and churches and priests. Alone he went forth among the uncivilised and the heathen; and yet he was not alone, for that divine love never left him. He himself tells us—writing as if of a third person—that the consolations which God communicates to those who go to convert the gentiles to the faith of Christ are so great, that if in this life there were contentment and satisfaction, certainly these consolations would be such. Many times, he adds, it happens to me to hear a person speak who lives among these Christians, and he goes on his way, saying, O Lord, give me not such great consolations in this life, or because thine infinite goodness thinks fit to bestow them upon me, draw me to thine own holy glory, for it is too great pain to live in the midst of these consolations without the happiness of seeing thee!\*

Volumes might be written illustrating, from the lives of the saints, the interior nature and the profound spirituality of the Roman Church. Indeed, it is difficult to comprehend how those who have the means of information so ready at hand, who see too, in the daily life of the Church, so many remarkable proofs of self-renunciation, self-devotion, patience, humility, piety, and charity, it is difficult, we repeat, to comprehend how such people can still misrepresent Catholicism to themselves and others. For the kind of life which has its most perfect types in the saints, is, nevertheless, not only the standard of all, but in some measure at least is carried out in the ordinary lives of every Catholic who sincerely practises his religion. It is true that all are not called to the same degree of perfection. It is true that all have not received the same gifts and the same graces. It is true, also, that the course of ordinary Christians is chequered with many failings, and sometimes even with grievous falls, but still the Church sets before all the same standard. All her children are

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\* Vita di S. Francesco Xaverio. L. 2. c. 3.

bound by the obligations of their religion to endeavour to be conformed to the image of Christ and His saints; and although in this holy race one may outrun another, yet each person who really enters the race at all, must labour, according to the grace given him, to acquire some portion of that spirit of faith, love, prayer, and interior estrangement from the world, which in the holy saints reached so many different degrees of heroism. Who can be so mad, who can be so fanatical, as to call a religion so real, and so penetrating, a system of formalism? In truth, it is the only solid spiritualism. It bears upon it the marks of that Divine Prudence and Wisdom which has framed it with the special object of rendering it in harmony with the material and spiritual nature of the being whom it is intended to benefit and to serve; nor is it the least among the notes of its truth, that it is really fitted for this very purpose. It can deal with man as he is, and with the whole man, body and soul. It is not afraid to speak to the senses, to employ them, to engage them in holy occupations, lest perhaps the spiritual should be forgotten in the external. On the contrary, it carries out in a very perfect manner that which we see actually going on around us. We see how nature herself employs the external world in order to form and instruct our minds. What we see, and hear, and feel, passes on to the heart, stirring up its deepest emotions, and imprinting memories thereon which time itself can never efface. The strongest, deepest, and purest affections are reached, excited, and called into play, by those chords of sympathy which are touched through means of the outward and visible. The intellect is taught, the heart is warmed, the will is moved, through the external and sensible. Close up the avenues of the senses, and without some special interposition of providence, you block up all access to the interior man. The spirit starves, because the avenues have been obstructed through which alone supplies could have reached it. He who made nature made also the Church. They both have come from the same hand, and they both display similar signs of the same marvellous design. Each working in its own order labours for the benefit and improvement of man, the one for a natural, and the other for a supernatural end. The object of both is identical, namely, the body, soul, and spirit; but while nature wishes to raise this whole man to a level with herself, the Church wishes to raise him to the

dignity of the sons of God. Each endeavours to compass its object by analogous measures ; nature informing him by means of her manifold works, and the Church approaching him with divinely instituted sacraments. And as the one succeeds in rendering him a learned man, a wise legislator, a loving husband, a tender father, a faithful friend, so the other fills him with the unearthly virtues of faith, hope, and love, whose scope is higher, and wider, and grander than ought that is within the power of nature. The sacraments excite emotions and arouse feelings in the inmost soul, which nothing under God can satisfy. They penetrate into the very depths of the soul. They carry with them there a fire which burns with an intensity and a purity unknown in the natural order. They change, convert, refresh, recreate, and restore. Their power is great, and their effect is marvellous. *Deus mirabilis in Sanctis ejus.* But it is the same hand and the same wisdom that operates in nature and in grace, skilfully working upon that half-material half-spiritual creature, for whose sake both nature and the Church exist.

If anything were wanted to prove the divinity of the Church, it would be proved by the analogy existing between it and the natural order. Such an analogy cannot be predicated of any Protestant sect or community. Protestantism contradicts at once the order of Providence, the nature of man, and the facts of experience. Devoid of harmony in itself, it is at war with all creation around it. It violates the principles on which Divine Wisdom orders and rules our physical and moral being ; and like all systems of purely human origin, it is so faulty in its constitution, so limited in its scope, and so partial in its operation, that when brought into play, it cannot be made to work with evenness or consistency. It is always running into one extreme or the other. Now it rushes frantically into the delusions of a wild and uncontrolled spiritualism, again it recoils into a hard, dry, and lifeless formalism. Ever changing, never the same, yet always leaving behind it a feeling of dissatisfaction and want. It is an empiric which professes what it cannot perform. Before you can improve, elevate, and spiritualise human nature, you must understand it, and you must be able to reach it. But the history of all Protestant communities shows, how completely they have failed in all their attempts to comprehend, and to control the mystery of man's inner being. They have

failed, because rejecting the only true key to that mystery, they have wasted their energies in schemes and plans of their own invention. They grew discontented with the divine machinery of the holy Church. They thought it had grown old and worn, and past its work. It was too practical and commonplace to suit their tastes. Like Naaman, the Syrian, they despised the waters of Jordan. So they thought out plans and devices of their own. These had at all events the advantage of being new, and of having never been tried; and what more could be needed for the reformation of mankind, than schemes concocted by the united wisdom of Luther, Calvin, Bucer, and Cranmer? But though their schemes were fair, and their hopes brilliant, failure has attended their attempts. Whatever may have been the aggregate amount of their wisdom, it was found in practice, impossible to give it a united action. Their plans and their devices produced, indeed, effects; but they were scarcely such as ought to have accompanied a grave religious movement. They originated antinomianism, propagated Calvinism, destroyed the sanctity of marriage, introduced polygamy, fostered revolutions, beheaded kings, broke down altars, robbed shrines, and blasphemed the Church of God. But when the smoke and noise of these mighty achievements had passed away, and when men began to ask themselves what they had gained by all these violent changes, there was but one answer to be made. They could readily enough count up what they had lost. They had lost the ancient faith with all its holy associations. They had cut off the old Church, the glory of their land, the mother of saints. They had unlearned to pray, and they had learnt to blaspheme. They had lost the cheerfulness of the olden days, and with their new religion they had put on grave faces, cold, stern, and severe. All this, certainly, was a change, but it was from the mother to the step-mother. It was from one who knew how to nurture and to train, to an awkward and cruel mistress who stretched all on the same procrustean bed. When they counted their gains, they found them to be such as the prodigal had gained, when, having left his father's house, he was sent to feed swine, and "no man gave unto him." In a word, their gains were their heaviest losses. For in place of faith, they gained dispute; instead of sacraments, they gained empty rites: in place of unity they secured discord; and instead of the gentle control of

the Catholic Church, they were forced to submit to the tyranny of some wild Protestant sect, which deranged their moral nature by its unchastened spiritualism, and starved their souls with its dry formalism.

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ART. VI.—1. *Ecclesiæ Anglicanæ Religio, Disciplina, Ritusque Sacri Cosini Episcopi Dunelmensis Opusculum.* Editio altera, 1857.

2. *Doctrine de L'Eglise Anglicane relative aux Sacremens, et aux Cérémonies Sacramentales.* 1854.

3. *Rome, son nouveau Dogme et nos Devoirs. Sermon prêché devant l'Université d'Oxford, par Monseigneur Wilbeforce, Evêque d'Oxford, etc.,* 1856.

4. *La Supremazia Papale al tribunale dell' Antichità.* 1856.

5. *Religione, Disciplina y Sagrados Ritos de la Iglesia de Inglaterra.* 1856.

6. *Περὶ δογμάτων, διοικήσεως, καὶ ἱεροουργίῳ τῆς Ἀγγλικῆς Εκκλησίας, ποιημάτων Κόσμων, επισκοποῦ Δυνέλμου.* 1856.

7. *The Christian Remembrancer.* October, MDCCCLVII. Art. "Anglo-Continental Association." London, Mozley, 1857.

OUR readers doubtless remember the inimitable description, in *Loss and Gain*, of the negro dressed out in his master's best clothes. Some of them may perhaps have heard, too, of the ingenious thief at Rome, who went into one of the shops in that city, in which they fit out newly appointed bishops, from head to foot, with the sacred paraphernalia of office, and who, representing himself as just nominated to the Episcopal dignity, proceeded to try on the various articles proper to a pontifical celebration; and after selecting a valuable ring and a precious mitre, rushed into the street, to the amazement no less of the population than of the discomfited shop-keeper, none of whom ventured to lay hands upon the bedizened culprit. The spectacle presented to our astonished eyes by the above list of publications, which is only a portion of a much larger one at the head of the Article

in the last *Christian Remembrancer*, with which we have wound up the series, is not wholly unlike that which burst upon the wondering populace on these two occasions. Here is the Protestant Bishop of Oxford, of all people in the world, figuring as a "Monsignore;" and whom on earth do our readers suppose to be the original of "Cosinus?" It is no other than good old Bishop Cosin, who suffers, without the power of remonstrance, this unnatural transformation.

"Miraturque novas frondes et non sua poma."

Certainly, the truth that Anglicanism is essentially a denizen of our sequestered isle, never impressed us so forcibly as since we have seen what an unspeakably ridiculous figure it cuts in a foreign Catholic dress. The negro's black hands peep out under his master's white kid gloves; the thief betrays that he is no bishop, but an impostor, by wearing the mitre with the lappets in front. The venerable language of the Church forgets its idiomatic proprieties in its new application. For "Fides," the approved representation of any body of doctrine which has authority and coherence, we find a substitute of a truly *canine* quality employed to describe the creed of the Establishment—"Religio." Certain, again, of the sacraments find themselves represented under a phrase specially coined for the occasion, "Cérémonies Sacramentales." And the interior of the volumes exhibits outrages upon the language and spirit of the Church as flagrant as their title-pages. What think you, gentle reader, of the following as a specimen of the reformed liturgy by which it is proposed to replace the time-honoured Offices of Missal and Breviary? "Domine Deus, Pater luminum, et fons omnis sapientiæ, te rogamus ut qui ad amussim Sanctæ Reformationis nostræ corruptelas et superstitiones hic grassantes, tyrannidemque Papalem merito et serio repudiavimus, fidem Apostolicam et vèrè Catholicam firmiter et constanter teneamus omnes, tibi que rite puro cultu intrepidi serviamus; per Jesum Christum Dominum et Servatorem nostrum. Amen, Amen!" We wonder whether in the days of the United Anglo-Roman Church, it be intended that this composition should be sung in the ecclesiastical tone? The reduplicated "Amen" is evidently meant to correspond with the "Acclamations" of the Pontifical.

But it is time to give our readers some account of



the object with which the series of publications, indicated by the above list, has been given to the Continental world. And, in order not to be guilty of any unfairness in setting forth their purpose and tendency, we shall draw extensively from the Article in the *Christian Remembrancer* already mentioned, in which that purpose is announced, and that tendency not obscurely implied. The series in question, to be brief, exhibits the literary labours of a new "Association, for making known upon the Continent, the principles of the Anglican Church." The Continent is supposed to be in error, and to need enlightenment, as to the real character of Anglicanism; and the mistake to be corrected is, it is alleged, that of supposing Anglicanism to be an integral part of Protestantism, whereas it is intended to show that the religion of the Anglican Church is the lineal and faithful representative of Apostolical Christianity. Now we are not going, for the thousandth time, to prove that Apostolical Christianity has but one representative in the world, and that the Holy Catholic and Roman Church is that representative. We are not proposing, except quite incidentally, to show that Anglicanism, as set forth by those who talk magnificently of its "Principles," is a mere phantom of the imagination—that the national religion of England is in fact such a mass of inconsistencies and contradictions, that, to speak of its having anything in common except hatred of Rome, or of its representing any principle except the will of the nation for the time being, is to use words absolutely without meaning. We propose to ourselves a different task, that of examining this new manifestation of Anglican feeling and opinion with the view of showing how every trace of Catholic principle is rapidly disappearing from the only religious body in this country which could ever, even plausibly, lay claim to it; and of dispelling those visions of Catholic unity, upon something of a common basis, which are so inviting to the Christian mind till they are found to be intrinsically hollow and chimerical.

Every one who has any acquaintance with the controversies of recent date, is aware of what is meant by the "Anglican," or as it has sometimes been called, "Anglo-Catholic" theory, of the Church. The view of the Gospel Dispensation which this title expresses is that, since "the division of the East and West," the body of Christ has been apparently, though not really, separated into parts;

and that the effect of the Reformation in England was no more than to add a third member to the externally dis-united whole, which had been previously split into two by the great schism of the Greeks. If any one desire to see a lucid exposition of this theory, he will find it in an Article styled "The Catholicity of the English Church," in the "*British Critic*" for January, 1840. The theory in question proceeded upon the supposition of an essential agreement in doctrine between the members of this dis-organized community. Its upholders were forward in contending that the grounds of actual separation, (whatever others might be pleaded,) were in reality either matters of variable opinion, or points of accidental discipline and regulation. They spoke of the "soul" of the Church being entire under this surface of external dis-memberment, and they longed ardently for the time when "misunderstandings" would be removed, and a real agreement expressed by a visible harmony and active co-operation, be established in the place of so anomalous a substitute. Nothing can be plainer than that such a theory was absolutely irreconcilable with attempts at "proselytism." To proselytize, or to acquiesce in a removal from the communion in which a person happened to be born, (being one of those supposed to have "Apostolical succession,") was to imply a right of dominancy on the part of the member thus acting, which was at once fatal to the claims of the rest. Each member of the body was therefore supposed to have an inalienable right to the allegiance of its subjects in the place in which it appeared under the necessary conditions of a "Church." But these conditions were dependent altogether upon local habitation, and ceased the moment that the boundary line had been passed. Hence followed those practical absurdities which first led plain persons to suspect the theory itself. A French Catholic, it was said, was bound to communicate "in sacris" with the Catholic Church at Calais, but, should he cross to Dover, he became at once a subject of the Anglican "branch." In theory, therefore, the Anglican, when abroad, was bound to be a Catholic; but the difficulty was, that the Catholics of the Continent would not recognize him as a brother. Hence, he had no alternative but to commit what, upon their own showing, was a schismatical act, by joining in worship forbidden by the laws of the Church in the country in which

he might happen to sojourn, or else to give up external communion with the visible Church altogether. It was almost self-evident that an idea of religion, involving such flagrant inconsistencies, would die a natural death, but its defenders might at least, have been expected to acknowledge candidly, that they must abandon it. This, however, they have not done. But it is curious to see how the theory is working itself out in their own hands.

For a time, indeed, the course of "Proselytism" was most rigorously eschewed, as well as most clamorously disavowed. Indeed, the repudiation of that course was the only possible safeguard against those conversions to Rome, which were so earnestly deprecated and so strongly condemned. Once admit that a "branch-church" may lose its claim upon its subjects, and we all know *which* of the three members of the imaginary "body of Christ" must inevitably be the gainer. But it must be acknowledged that till quite recently the maintainers of the Anglican theory were so far consistent that, while they protested against *us* for seeking to disturb the equilibrium, they equally abstained from themselves interfering with it. Who does not remember the indignation with which they heard that successive "bishops of Jerusalem" had tampered with the independence of the Greeks and Orientals? And we had honestly supposed that they would have condemned no less strongly any attempt to meddle with the faith and allegiance of a continental Catholic. It appears, however, that we were mistaken; and the principal interest of the Association we are about to describe consists in this, that it proves how entirely even the leaders of the great movement, of which the theory just explained was the very symbol, and its inculcation the cause of that movement's very existence, have retreated from their original ground to the side of those very men for whose ecclesiastical notions they could hitherto find no language of condemnation sufficiently expressive of their dislike. The fact is so exceedingly important, and especially at this moment, that we shall make no apology for detaining the reader a few minutes upon a subject which, if he share our own feelings, has not much of intrinsic attraction for him.

We have heard a great deal of late about projects of "corporate union" between the Anglican Establishment and the Holy Roman Church. The *Dublin Review* has in different ways given expression to the gravest doubts

not merely as to the feasibility of any such project, but as to the lawfulness (wanting ecclesiastical sanction) of even entertaining it as an abstract question. Yet it may safely be said that nothing which has appeared either in this Review or elsewhere, forms so conclusive an argument against the project as the providential course of events in the communion in which it has originated. Little more than half a-year has elapsed since the public has been familiarized with the idea of this plan, and the actual organization of a kind of confraternity whose cementing bond is to be the obligation of united prayer towards its accomplishment, is an event of much later date. But as if to point in no obscure way to the true solution of the problem, two lights have been vouchsafed, on the very threshold of the inquiry, than which none can be better calculated to direct us all towards the road by which Divine Providence would have the unity of His Church to be secured. The one is, that at no period during recent years have so many personal conversions of high-church clergymen occurred as since the confraternity in question has been at work. And the other is, the startling intimation made in the very latest number of the ablest of all the high-church organs, as to the real views of the men who, if "corporate union" be anything more than a delusion and a snare, must be the persons who were expected to countenance and forward it.

The paper entitled "The Anglo-Continental Association" in the *Christian Remembrancer* for October last, must be regarded as the official commentary upon the character and object of the undertaking, with which the various publications named at the head of our article are connected. This paper abundantly proves that, although the professed aim of this new Society is to "make known the principles of the Anglican Church," it recognizes, on the part of foreign Catholics, the duty in certain cases of breaking communion with their Church and entering the Anglican Establishment; and that on the part of Anglicans, it also recognizes the duty of receiving into communion all persons who profess themselves dissatisfied with the doctrines and practices of Rome. To those of our readers who have any acquaintance with the past history of the school of opinion represented by the *Christian Remembrancer*, there will appear something so strange in this announcement, that we must proceed at once to justify it by a quotation.

"The object of the Association is something far higher, nobler, better, than the petty game which Romanism is playing in England. The revivification of whole national churches is the idea on which it is based, not the withdrawal of a certain number of individuals from those Churches. But what if there are men in those Churches who have groaned over evils which they have been long witnessing and compelled to share in, and feel that they can bear them no longer? What if in their souls they are convinced that to them it is sin to remain longer where they are? We have no hesitation in saying that, to them it is sin to stay behind. They must, with the French Abbé, go forth and seek to become a member of a Church where they will at last be allowed to serve God according to their conscience."—C. R. p. 352.

"In the estimation of others the knowledge of Anglican Principles will be likely to lead to a desire after Anglican practices, to a dislike of those doctrines and practices which are distinctly Roman, and to a wish among members of different National Churches on the continent to break from off their neck the yoke of Rome, after the precedent of the Anglican Church. Again we say, *if such be the result, be it so.*"—Ib. p. 358.

Here, then, we find a distinct enunciation of the doctrine that a man is justified, for conscience sake, in leaving what is called the "Church of his baptism." "*Quam temere in nosmet legem sancimus iniquam!*" We thank you, gentlemen of the Anglo-Catholic persuasion, for giving us these words. You have excellently well described the grounds upon which several hundred clergymen, and as many thousands of others have, within the last few years, embraced the Catholic faith and entered Catholic communion. "In their souls" all these persons "were convinced that to them it was sin to remain longer were they were." After years, then, of indignant remonstrance, after holding up our converts to odium and obloquy; after saying, over and over again, that the claims of the Church in which a man happened to be born were to outweigh the admonitions of conscience, and that no amount of imaginary or real grievance could render the question of leaving such communion (provided it had the Apostolical Succession) otherwise than a sin of impatience and wilfulness, or the act of doing so less than a species of apostasy, Anglicans themselves now tell us that the very course which they formerly branded as a grievous sin, becomes, under the very same circumstances and conditions which have justified it in the eyes of the converts to Rome, an imperative duty. They go, indeed, much further than is necessary

to justify the act of converts from Anglicanism to Rome. For, whereas the case of such converts is that of persons, conscientiously believing that the communion in which they happen to have been born is no Church at all, and, accordingly, fleeing from it to what they believe the only Church; here we find a man borne out not only in leaving, but *in placing himself in opposition* to a body, which, upon Anglican principles themselves, he is bound to regard as an integral portion of the Catholic Church. Such are the sentiments to which, by aiding in the work of this Association, the following distinguished persons have committed themselves: the Bishops of Exeter, Oxford, and Salisbury, in England; in Scotland, of Glasgow, Argyll, Moray, and St. Andrews; Dr. Moberly, Mr. Keble, Mr. Beresford Hope, and (though last not least) Mr. Gladstone. It gives us sincere pleasure to find that Dr. Pusey has kept himself clear of all external participation in the unholy objects of this Society; but what an idea does it give of the deep disunion which must reign in the Anglican camp, to find leaders like Dr. Pusey and Mr. Keble, taking wholly different sides upon a question absolutely vital to the theory of churchmanship to which, hitherto, they have been conjointly pledged!

One of two conclusions is made plain by the working of this new Association. Either Proselytism is its real though concealed object; or to make known the principles of Anglicanism on the Continent is, *ipso facto*, to proselytize. If the latter side of the alternative be the less discreditable to the Association, it is not the less fatal to the pretensions of Anglicanism. It proves that the Anglican theory, despite every disavowal of its maintainers, is essentially and unalterably Protestant. That theory convicts itself of its true origin the moment it passes from paper into action. It is English all over. It cannot travel without exposing itself. It is made for the Queen's dominions, not for the world. Introduced into a foreign body, it exhibits itself as a principle not of amalgamation, but of disturbance. The one practical consequence of making known, on the Continent, the principles of the Anglican Church is, to turn Catholics first into sceptics, and then into apostates. And when this tendency makes itself apparent, what is the effect? Not to throw the originators and supporters of this Association upon reviewing its character or modifying its action, but to call forth



a deliberate and all but official sanction of the principle of proselytism itself.

For it is idle to draw a distinction between the course which the *Christian Remembrancer* has endorsed with its approval, and that which Exeter Hall Protestants more undisguisedly and honestly avow to be the duty of all evangelical Christians. Once admit that a Catholic who is dissatisfied with his religion is justified in abandoning it, and the precise means by which you induce him to do so are of secondary importance. The Protestant who preaches plainly that it is his duty to "come out and to be separate" from Rome, appears to us to act far more like an honest man than the Anglican who takes a more circuitous and covert mode of bringing him to the same conclusion. The great question is, whether it be right to carry controversy into the ranks of the foreign Catholic body. If an Anglican rejoice, or even acquiesce, in the apostasy of a Catholic as the result of such a process, his only difference from the extreme Protestant, will then turn upon the means employed. In principle there is an entire agreement.

What, again, is likely to be the effect upon the Anglo-Continental Association of such avowals as those to which we here allude? How will those who are engaged in carrying out the objects of this Association be able to distinguish, in practice, between actual proselytising, and hailing with satisfaction the accession of proselytes? The veriest proselytist that ever spouted on the platform of Exeter Hall would forbear, in common decency, from saying that he desired to force the conscience of a Papist. All which he undertakes is to inform the conscience of his benighted adversary, or to relieve it under a supposed pressure, or from a supposed delusion. He would tell you, as the Anglicans are now telling us, that his sole aim was to exhibit what he calls gospel truth in its unsophisticated aspect and its un mutilated integrity; a picture of which he believes, as the Anglican believes of that which he has to produce, will reclaim to truth and peace, the unhappy victims of an evil superstition. And, therefore, we used to hear that Anglican clergymen, sent upon missions to the East, were distinctly warned by bishops of their communion, that they were to content themselves with preaching to their own people; rigorously abstaining from all interference with the members of "other churches," and

even withstanding overtures, should any such be made, of personal adhesion. Upon the most unsuspicious evidence of a great Anglican organ we confidently assert, therefore, that the "Anglo-Catholic" principle is now totally abandoned; that the highest churchmen, with very few exceptions, now hold and teach that the Catholics of the Continent are safe in breaking peace with their body; and thus, either that the evils actually existing in the Roman Communion, are subversive of its claim to be taken for even a portion of the Church, or, that it is allowable, upon the plea of conscience, not only to leave, but to rail against what is actually a true branch of that Church. If this be not a recognition of the unbounded "right of private judgment," then we must ask what Anglican churchmen understand by that term.

And now let us glance at what these sticklers for purity of conscience are doing towards the relief of its difficulties and the rectification of its judgments. They are scattering firebrands in the midst of a peaceful and undivided house. They are circulating books in France, Italy, and Spain, no one of which a Catholic of those countries could read without sin, except by permission of authority; and no one of which any Catholic authority in Christendom would allow to be read except for the purpose of publicly refuting it. Under the pretence of making known "the principles of the Anglican Church," they are now giving currency to the foulest calumnies against the Roman; and are making the specious claim of protesting against her "innovations" the peg on which to hang as virulent accusations as ever fell from the lips of the veriest no-Popery demagogue. Not content with raking up the old worn-out charges of Anglican divines which deserve some sort of compassion from the ignorance and coarseness of the times, they must even exhibit, in a foreign dress, the flip-pant insinuations and showy sophisms of a living controversialist who is at once the most prominent representative of the high-Church Anglican party, and the bitterest opponent of the Catholic Church. It is true that the manifold contradictions which a comparison of the various declarations of the bishop of Oxford, would bring to light materially detract from the weight and apparent sincerity of his ecclesiastical views. But this is no justification of those who recklessly disseminate among foreign Catholics a polemical discourse of this prelate, exhibit-

ing, for whatever reason, a more than ordinary amount of acerbity against the doctrine and spirit of the Catholic Church. Whether it were that his lordship deemed the University of Oxford to require a special warning against excesses in the love of MARY, or whether for any reason the Catholic Church happened to be out of his lordship's good books just at that moment, so it is that he selected the pulpit of the church of St. Mary the Virgin, as the place, and the Feast of the Annunciation as the occasion, of pronouncing a philippic against the prerogatives of God's Holy Mother, and against the Church which alone among all bodies of professing Christians has continuously defended her claims and magnified her honour. And this is the discourse which of all others the Association "for making known the principles of the Anglican Church," selects as a specimen of those principles in the eyes of Catholic Christendom! Discarding from its choice the many published sermons and other works of Dr. Pusey, Mr. Keble, and the other leaders of the Anglican party, as well as the various "Tracts for the Times," those really able and lucid exponents of the high-Church theory, our modern propagandists fasten upon a bitter tirade against Rome, as the proper specimen of the class of opinions which they invite continental Catholics to embrace in exchange for the faith of the holy Roman Church! Can anything prove more clearly the proselytizing animus of this Association?

But perhaps we shall be suspected of having exaggerated the case and done injustice both to Bishop Wilberforce and the Association which has chosen him as the contemporary spokesman of its mind. We shall proceed, therefore, to give a few specimens of the teaching by which it is proposed to replace the doctrine of the Catholic Church; and we shall give them in the foreign garb which they assume under the direction of the "Association;" first, because this course is fairest towards the Association itself, and secondly, because a foreign language is a certain, however slight, protection against the unrestricted publicity of sentiments which are really too shocking to be cast, unveiled, before the Catholic public at large.

The Association adopts, as a "principle of the Anglican Church," the doctrine that our Blessed Lord assumed human nature in its *corrupt* form, and that this blasphemy is a necessary part of the verity of the Incarnation. The

bishop argues that if the Blessed Virgin were conceived without sin, then our Lord received human nature in a pure form, and not in its fallen condition, whereas the latter and not the former doctrine he believes to be the truth. He thus reasons:—

“ Si cette nature qu’ Il prit ainsi dans le sein de la Vierge Mère n’était pas celle dont cette Vierge comme tous les autres êtres humains, avait hérité d’ Adam, mais une nature spéciale, faite par la puissance créatrice de Dieu, pour exister dans les nouvelles conditions de pureté originelle, comment pouvons-nous dire qu’ Il prit réellement de notre propre nature ? La nature à laquelle Il emprunta cette chair, qu’ Il unit à sa Divinité, était donc, non point notre nature déchue, mais une nature nouvelle et différente, et alors sa fraternité avec nous est détruite.”—p. 19.

In the eyes, then, of the Bishop of Oxford, and of the Association for making known the principles of the Anglican Church, it is not merely no blasphemy, but veritable Catholic doctrine, to affirm that the Most Holy God allied His own divine Nature with that sin which fallen man inherits from Adam, and which the Church of England itself declares to deserve, in itself, God’s wrath and condemnation. And the best argument which the bishop can find against the doctrine, that the Mother of God was conceived immaculate, is one which implies that she was not even *born* immaculate, but was subject throughout life to precisely the same internal conflict between good and evil, as St. Paul, for instance, describes in his Epistle to the Romans, ch. vii, v. 18—24. A more conclusive proof could scarcely be given of the inseparable connection between the Catholic doctrine of Mary and the Catholic doctrine of the Incarnation.

Again, we ask any of our readers, nay, any candid partizan of Anglicanism itself, to say what is likely to be the effect upon foreign Catholics of such language as the following ; whether, in short, it can have any tendency but to excite disgust among the good, and to play up to the worst passions of the disaffected members of the Church ?

“ Il n’y a, en effet, dans cette Communion ” (de Rome) “ aucun symptôme de mal plus remarquable, que l’accroissement rebutant de cette fausse doctrine, qui, comme un principe de corruption, se développe à travers des temps. Les générations qui se succèdent, semblent s’empresser à l’envi l’une de l’autre, d’atteindre à ce blas-

phème direct, d'attribuer à cette femme (!) qui fut la Mère du Sauveur\* les louanges et l'honneur qu' on ne doit qu' à ce Sauveur lui-même."—p. 21.

The application of the Apocalyptic Prophecies of Anti-Christ to the Roman Church was, we had supposed, a peculiar note of the party whose tactics Anglicans once denounced far more severely than they denounced us. Will it be believed that the Bishop of Oxford condescends to take one more leaf out of the book of Exeter Hall, and that he dares to depict the religious joy of the Holy City on the promulgation of the dogma of the Immaculate Conception, in the words, "And I saw the Woman, whose name was a Mystery, drunken with the blood of the Saints!" (p. 24.)

But enough of these awful profanities. Our only excuse for even alluding to them must be found in the hope that by the mercy of God we may thus be enabled to open the eyes of Anglicans to the abyss of infidelity, to the verge of which their leaders are gradually conducting them, before they have hopelessly and eternally cut themselves off from the only source of light and peace.

We are grieved, rather than surprised, to find that the proselytizing efforts of this new Association have been partially successful. In every country there are, of course, to be found uneasy and disloyal spirits, men who find the rules of the Church, and especially the practice of confession, a stumbling-block in the way of their perverse, if not vicious, inclinations, and who are ever on the look out for sympathy and encouragement from whatever quarter proceeding. Often, indeed, the evil has not yet become incurable, and a word either way may prove the feather by which the scales are finally turned towards recovery or ruin. In every country too, there are, unhappily, priests as well as laymen, who, having lost the first fervour of their vocation, come to find a burden in those privileges which should be their delight. Just in proportion as the law in their case is more difficult and more elevated, will be the danger of any, however slight, relaxation of that strictness

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\* It is remarkable how the bishop here shrinks from the language of the Council of Ephesus, as well as how naturally his lordship falls into that most unloving mode of designating our dearest Lord as "*the Saviour*."

of observance, which is the only security against evil, as it is the only secret of peace. No man, and least of all, a Catholic priest, becomes wicked at once. The priest, especially, who is habituated to reverence for authority, refuses, till he is completely degenerate, to listen to the seductive voice of infidelity or heresy, unless coming before him with a show of weight and venerable sanction. To this class it is obvious that the emissaries of the new Association will address themselves with peculiar effect. They offer to the discontented spirits of the Continent a most tempting "via media" between the unpalatable law of the Catholic Church and the vulgar licence of unbridled Protestantism. They dress out heresy in the form most attractive to a man who has not quite lost his faith. They dignify it with antiquarian sanctions, and disguise it under a Catholic phraseology. They have learned from the missionaries of the platform the important secret, that Catholics can be caught by none but homogeneous baits; and just as the Rev. Cornelius O'Shaughnessy, the apostate missionary, and Miss Dulcibella Snake, the district-visitor, introduce themselves into the garret of the poor Irish apple-woman, with the proffer of a Douay Bible instead of a no-Popery tract, do these gentlemen endeavour to ingratiate themselves with foreign Catholics, by affecting a community of faith, and concealing their purposes under orthodox language.

They have succeeded, we lament to say, in making an apostate of a French priest, whom (still after the fashion of Exeter Hall,) they parade in their Report with all the pomp of victory. Following the approved precedent, they carefully suppress the name of their unhappy victim. We do not go so far as to suppose that he is actually a man of straw, who has no living counterpart; but it is plain that they think the production of his name would do no good to their cause. The Catholic Church tosses her weeds into the congenial soil of the Protestant wilderness, and transplants its fairest flowers into her own goodly enclosure. So it was in Swift's days, and so it will be to the end of time. Instead of giving us the name of this miserable priest, they give us his letters, which plainly show the class of Catholics to which he is to be referred. "Six years after my ordination," he tells us, "I entered upon the study of Calvin's Institutes and Jewell's Apology," and the result was, that he found himself a member of the



Anglican Church. It is not a little remarkable that the first, and (as far as appears,) the only Catholic whom the Association has succeeded in perverting, should be a Gallican, rather than an Italian or a Spaniard. We had been accustomed to think that Anglicans drew a broad distinction between France and other Continental nations, and that, of all Catholics, those whom they would least wish to disturb, would be the Catholics of France. Such, however, is the zeal for proselytism which has seized them, that an offer from any quarter is now thankfully accepted, and accordingly it is celebrated as a triumph of "Anglican principles" that they have succeeded in rending the tie between a French priest and his Church.

The comments of this wretched man upon the doctrine proposed to his acceptance, are very significant of his religious temper, as well as of the leanings of the Association. It had tried on, we gather, an application of Catholicity in its mildest and most diluted form, yet the patient is found to rebel. A tract of Bishop Cosin's was put into the Abbé's hand, containing this infinitesimally small dose of Catholic doctrine. "*Ideo fructus hujus deprecationis quam pro mortuis in Xto facimus, prorsus nullus esse non potest.*" It is certainly difficult to conceive a more guarded statement; yet the Abbé "fears that" (these words) "may give room for the errors of Rome concerning Purgatory, and all their fatal consequences," though he charitably hopes that, as explained by their context, "they may be taken in a sense which does not offend against the faith." (p. 348.)

But what are we to think of a Catholic priest who has brought himself, by the study of heretical books, to the conviction that the Church, of which he is a child, and at whose altar he is a minister of the great Sacrifice, having "begun her career of iniquity (sic) by cutting short the two first commandments of God's Law, has gone on to treat the Word of God as worse than nothing, the merits of Christ as null, and, forsaking the God of Heaven, has made for itself an earthly God?" (p. 349.) And what, more than all, are we to think of professing "Churchmen," who have so far lost their religious instincts as to exhibit such words without anything to make it appear that they repudiate these abominable calumnies, or even regard them as an exaggeration?

But while the Abbé is inclined to think that the Asso-

ciation goes too far, an opposite complaint is brought against it from another quarter. The "*Observateur Catholique*" qualifies its approval of the publications which the Society has authorised by an unfavourable criticism upon the phrase "*Cérémonies Sacramentales*," as applied to some of the Seven Sacraments of the Church.

"The English Church," says the Gallican organ, "acknowledges, under the title of 'Sacramental Ceremonies,' Confirmation, Penance, Extreme Unction, Orders, and Matrimony. The English Church appears to refuse these the title of Sacraments, because they are only of Apostolical or ecclesiastical justification. Can it be believed that the Apostles would have conferred confirmation on the newly baptized of Samaria, immediately after the Ascension of Jesus Christ, if that ceremony had not been instituted by Jesus Christ Himself? The five 'Sacramental ceremonies' of the English Church are found in the most ancient monuments of the history of the Church, under the title of Sacraments. The Eastern Churches, with that of Rome, administer Seven Sacraments. The distinction between the five 'Sacramental ceremonies' and the Sacraments is nowhere to be found but in the English Church; we think, therefore, that that Church ought to reject it." (C. R. p. 355.)

"We know not here, whether more to marvel at the coolness with which the Association commits "the English Church" to the phrase "Sacramental Ceremonies," as applied to the Sacraments in question, (including, be it observed, Extreme Unction,) or the simplicity with which the "*Observateur Catholique*" attributes this phrase to the Church of England, as if that body had anywhere authorised it, or as if even the majority of her prelates would regard it as anything better than a Popish invention.

It is not, then, that we entertain any fears about the ultimate success of this Association. The stress which it lays upon the single case of apostasy which has followed upon its efforts, is a proof that proselytism, though its aim, is not its *forte*. It cannot even announce its gains without betraying the infirmity of its cause. Its profession is too strong for the weaker, and too weak for the stronger. It has neither the consistency and persuasiveness of truth, nor the energy and desperation of heresy. Its tracts are too guarded and too tame. They are not prepared according to the approved recipe. A bolder flight of invention, a less timid handling of the Apoca-

lypse, would greatly add to their effect. The "Via Media" was never intended to be the subject of a Mission, or the symbol of a "Propaganda."

But the intrinsic hollowness of this project does not qualify the malice of its intention, or affect its significance as a phenomenon. Till the many distinguished persons whose names have been publicly identified with the undertaking, shall see fit to withdraw themselves from all further participation in it, they must be regarded as having committed themselves to the principle of proselytism in its most subtle form. A member of the French Church, and a Priest, has been *invited* to enter the Anglican Communion, welcomed into it, and his name blazoned forth as a convert. But small indeed is the discredit of being thus associated with a scheme which violates every professed axiom of their party, compared with the deep responsibility of helping to detach a dissatisfied and sceptical Catholic from his moorings in the harbour of peace and safety, and sending him adrift upon a sea of doubt and hazardous speculation. One would have thought that the example of the unhappy BLANCO WHITE would not so soon have been lost upon those who knew him, if not personally, yet by name and history. That was the case of a Catholic priest who worked himself, like this French abbé, out of the Communion of the Church by the study of heretical books; and like him, too, he chose the Anglican Establishment as a half-way resting-place between Faith and Infidelity. He was received with open arms by every party in that Establishment. He was fêted, petted, and made much of every way, set up to preach before the University of Oxford, and aggregated to one of her most distinguished colleges. He was a man of undoubted disinterestedness, and therefore he refused all offers of preferment in the wealthy Establishment which he had joined, lest his motives in allying himself to it might be suspected. From a High-Church Anglican he became an Evangelical, from an Evangelical a Rationalist, from a Rationalist a Socinian, and from a Socinian an Infidel. He died with the words of unbelief on his lips, and the air of unruffled composure in his countenance. May he who has followed that awful example so far, be arrested at this point of his downward career, by the loving expostulations of the Saviour, whom he has betrayed and traduced, and re-enter the fold of Unity

which, in an evil moment, he has been tempted to abandon!

And now for a few words, at parting, to our friends of the "Union" movement. We observe with pleasure, but without surprise, that they have expressed themselves in terms only less strong than our own, against this new development of Anglican principles. In truth, they have come out against it with an amount of enthusiasm unusual with them, and which seems to indicate that they regard it as the most fatal of the obstacles which have yet been flung across their path. At any rate such it certainly is. A movement of the kind, and under such high patronage, does undoubtedly import an amount of anti-Catholic feeling in the Establishment, for which we confess that even we were unprepared. We had thought, and hoped, that the Unionist party numbered many more names of weight on its side than it now appears able to command. We had supposed, at the very least, that the objects of that party had enlisted the sympathy of some whose support, on the contrary, we now find to be publicly, and without protest, claimed by this "Anglo-Continental Association." It thus appears that, at the present time, just as projects of corporate union have come to be broached, not only the evangelical party in the Establishment, and that which goes by the name of "high and dry," are the advocates of proselytizing efforts against us, but that, strangest of all, there is a division upon the question, even among Tractarians themselves.

And then, as to the queen's bishops, consider only what can be the prospects of an undertaking which has such men as Wilberforce and Hamilton prominently against it? Or what must be the kind of "Unity" contemplated, if these prelates be patting its promoters on the head with one hand, and beckoning priests out of the Catholic Church with the other? now talking blandly about "our sister Churches," and now more than insinuating, that Rome is the "mistress of abominations?" The Unionists must make their choice between the damaging opposition of such important personages, or their still more damaging support. Their cause is either fatally compromised by the advocacy of such allies, or deprived of all strength by their antagonism. Take, especially, the case of the Bishop of Salisbury, who is one of the patrons of this new Propaganda. He is a man, than whom the most Catholic party in the

Establishment could assuredly not expect, even if they could desire, a more unimpeachable representative of their principles, at least in so elevated a quarter. His speech on the Divorce Bill was worthy of a Catholic; and he is honourably distinguished from his brethren, by the absence of everything like bitterness in his tone of speaking about us.\* It is therefore with sincere regret that we find Dr. Hamilton's name associated with this miserable job. What then must be the disappointment of those who are labouring after Catholic unity, when they see the only prelate of the Establishment from whom they could expect consistent sympathy and support, ranged with such implacable opponents of the Catholic Church as Bishop Wilberforce, Dr. Wordsworth, and Mr. Meyrick?

Nor is Dr. Hamilton's the only name on this list which indicates the weakness of the Unionist section of the Establishment. Mr. Keble, too, and Mr. Gladstone are among the well wishers, if not the active supporters, of the Anglo-Continental Association. And what a host of powerful opinion do not their names represent! The one, the author of the "Christian Year;" the man who thirty years ago stood conspicuous even among the originators of the "Tracts for the Times," for his kind and conciliatory language about Rome; who in his youth was our chivalrous champion, but who has become, in the decline of his years, the strength of our bitterest enemies. And Mr. Gladstone, too, on the side of proselytism! Such names, surely, besides their own weight, are the exponents of whole schools of opinion. So, what with the Evangelicals, the Rationalists, the "High-and-dry," and the primitive Tractarians, who are all, more or less, on the side of proselytism, there would seem but a sorry residue of support left for the cause of "Corporate Union." Yet this cause, as its very name imports, depends upon numbers for its weight, and even its existence. Lacking the countenance of every single bishop of the Establishment, of the most thoughtful and consistent of the remaining Tracta-

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\* We must add, and with much pleasure, that his lordship shares this honourable peculiarity with another prelate of quite an opposite school—Dr. Tait; who, under circumstances of strong temptation to an opposite course, has most creditably abstained, since his elevation, from even a word of bitterness against Catholics.

rian leaders, of the most eloquent and gifted of our statesmen, of the three most powerful parties in the Established Church; with what manner of pretension could this little band of impracticables carry up its proposals to the foot of the Sovereign Pontiff as a representation of the longing desires of the great English nation? But more fatal to its cause is the augury of the future which such facts shadow forth, than even the evidence of present difficulties. Such men as Bishop Wilberforce, and Mr. Gladstone, would not, we may be sure, be found on the side of Proselytism, if the nation at large were verging towards Union. We regard such a manifestation on the part of such men, as a bar to all rational hope of "corporate" approximation towards us.

And while friends are thus hanging back, irreparable time is slipping away. The youngest man in the movement towards unity will have gone to his account long before the heart of this nation beats in accord with his sentiments; and it will be but a sorry look out if we have nothing better than unsanctioned theories and baseless visions to plead at the bar of Divine Justice in excuse for personal shortcomings. But we have small fears on this score. The friends of unity, we are delighted to find, have turned from controversy to prayer. They are no longer, as once, afraid of the intercessions of Catholics, but, on the contrary, invite and join in them. What, too, if Dr. Pusey should even be one of this pious confederacy? God grant it be so. If ever there were a man whose alms, mortifications, and good works, might be expected to draw down a blessing upon himself and his nation, that man is Dr. Pusey. At least we rejoice from our hearts that he has not, by partaking in the sin of proselytism, tarnished the lustre of his once honoured name and many good deeds. And if he will but pray for "union with Rome," under any condition by which he may please to restrict the petition, (though he indeed is not the man to dictate terms to the All-wise and All-gracious,) we doubt not that he will be answered in such sort as shall most conduce to the glory of God and the advancement of His holy truth. We learn with sincerest pleasure that this remarkable man is once more restored to health and vigour; and, coinciding as this mercy does with the appearances of the time, we are fain to trace in it a token that there are still great things for him to do in the city



of God on earth before he is called to that bright and enduring reward which we cannot but believe must yet await him.

But there is one thing, we confess, which would greatly increase the satisfaction with which we observe that the "Corporate Union" party are disposed to trust their cause to God; and that is, that they should simultaneously desist from enveloping themselves in the dust of controversy. It is now almost a year since we expressed, pretty freely, our hopes and fears as to the tendency of the literary organ which represents their sentiments—the *Union* newspaper. We much lament to say, that our fears, rather than our hopes, have been strengthened by the progress of events. We always felt most doubtful how far it would be practicable for the gentlemen connected with this paper to maintain the high and chivalrous tone in regard to Catholics and the Church, which, at its first beginning, formed so delightful a contrast to the organs of Anglicanism. We apprehended that they might find themselves less able than they expected, to withstand the torrent of opposition which such a course was sure to draw down upon them from the majority of their brethren. Symptoms of concession to these influences are, we regret to say, beginning to manifest themselves with but too evident distinctness. "Letters of correspondents," light indeed as straws in intrinsic weight, are yet, like straws, betraying the change of wind. Leading articles are exhibiting more and more signs of hesitation and dangerous candour. More than all, the paper is falling in point of generosity and straightforwardness, not, we are sure, from the want of these qualities in its promoters, but from the evident rickettiness of its moral and religious position. Its treatment of Father Faber, in reference to the Sermon at the Oratory has been, to use a mild phrase, shabby. The *Union* charged upon an Oratorian preacher, a certain sentiment, embodied in definite language, where the whole point was not whether the preacher had said what the *Union* and its friends chose to consider *tantamount* to that sentiment, but whether he had committed himself to *it*. Challenged to produce its authority for so damaging a statement, it exhibits what may or may not have been said by the preacher, but what, even if said by him, is something wholly different from what he was charged with saying. All this is too like what we are accustomed to in other quarters.

We wish we were not compelled to add that there is another disservice to religion which the *Union* is unconsciously promoting. It is furnishing excellent but short-sighted Catholics, with the opportunity of rushing slipshod into print. Could some of our writers and some of our journals (for the evil is contagious) only know how serious a drawback upon the rise of our literature is created by the "Correspondence" columns of newspapers, more or less devoted to the Catholic cause, we should surely have a little more modesty in the one, and a little more discrimination in the other. Among the secondary notes of truth which attach to our religion, there is scarcely one to our own mind more arresting than the way in which the Church lives on through the never-ending imprudencies of her own loving children.

But to return to the *Union*. The untenability of its position is, every day, more and more breaking out. What in the name of common sense is it at? Look, for instance, at the lessons it teaches us in the way of deference to authority. It is intelligible ground to say, as *we* do, that the Anglican bishops are mere state functionaries, and however estimable they may be as individuals, deserve as much, but no more, reverence for their office<sup>1</sup> sake, than the Lord Mayor of London. But to speak of persons who are pretended to be the representatives and successors of St. Peter and St. Paul, in the language which the *Union* applies to Dr. Tait or Dr. Villiers, is not only an insult to authority in those who use it, but has a tendency to bring all religion into contempt. What would be said of us, if we were to use such words in describing even an Anglican bishop and his companions, as "*Villiers and Co?*"\* To whom then really applies the charge of disparaging the ecclesiastical officers of the State of England; to us, or to those who bring that charge against us?

In these and such like indications of a miserably weak cause, we still cannot bring ourselves as yet to see any grounds for imputing conscious dishonesty to its advocates. These are not the first, nor will they be the last, aspirants after Catholic unity, who have lain for a season embedded in the shroud of delusion which they have spun for them-

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\* See the *Union* for Nov. 20, 1857.

selves. All we desire is, that they might be got, even for a brief space, to look at themselves with eyes other than their own. They may depend upon it that it is not we only who are keen-sighted to their palpable inconsistencies. There are shrewd observers still nearer home, who see as plainly, if they do not speak with so much openness. The line of the *Union* at its beginning was respectable, but visionary. Now it is gaining a stand at the expense of its principles. It is getting to do a work and take a place which others more ably perform, and more creditably fill. Hence it is that we would wish to hear more of prayer and less of controversy; for we are convinced that nothing can keep from the zealous promoters of this meritorious attempt the accents of the Voice which calls them, except the clatter of tinkling cymbals which they are raising about their own ears.

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ART. VII.—*Heidenthum und Judenthum. Vorhalle zur Geschichte des Christenthums.* [Heathenism and Judaism. An Introduction to the History of Christianity.] Von Joh. Jos. Ign. Dollinger. 8vo. Rensburg, Manz, 1857.

NO branch of classical archæology has been at all times more laboriously investigated than the religious systems of Greece and Rome. There is hardly a single particular, whether of doctrine or of practice, that has not formed the subject of special and elaborate inquiry. Every detail of the mythology, from Jupiter Optimus Maximus, down to the most obscure of the *Dii Indigetes*; every religious ceremonial, from the most solemn act of public national worship, down to the every-day personal lustration; all the minutiae of sacrifices, auguries, divinations, oracular responses, and the countless other appliances of those complicated systems which so long held captive the popular mind of Greece and Rome;—have been brought home to the capacity of the most ordinary school-boy, in the various dictionaries and hand-books with which modern classical literature abounds. The more abstruse and

recondite subjects;—the various foreign elements introduced into Greek and Roman paganism; the mysteries—both as regards the rites and usages with which they were celebrated, and the secret import of which they were intended to serve as the material vehicle;—the origin and character, religious, moral, and even political, of each; the time and circumstances of their respective introduction; the relations which they bore to one another; and the degree in which they were mutually modified or diverted from their original purport, whether by their influence upon each other, or by that of the peculiar national or local ceremonial upon which they were engrafted;—all these have long formed a subject of curious speculation for the more matured and philosophical inquirer. In like manner, the fullest and most minute information has been laboriously extracted from every available ancient authority regarding the religious customs connected with social and domestic observance; the rites of betrothal and marriage; the funeral ceremonies, and other usages connected with the honour of the dead; and, in a word, all the miscellaneous ceremonial of family worship, whether recognized by public authority, or founded, as not unfrequently happened, upon some private domestic tradition.

Nevertheless, we believe no one who has ever given his attention seriously to these studies, will imagine that all the laborious learning of modern scholars has succeeded in placing before the mind of the student a clear and life-like picture of the religious mind of the Greek and Roman world. Nor, in truth, have modern scholars, for the most part, ever proposed this object to themselves, or indeed realized to their own minds its importance or its necessity. To most of the classical antiquarians the religion of Greece and Rome has but formed a branch of the antiquities of these countries; and its study has been pursued in precisely the same spirit with all the other departments—art, literature, war, politics, or social and domestic usage. They investigate with the same patient pertinacity the nature and functions of the college of augurs, and those of the quæstor or the curule ædile. Each detail is interesting to them solely as a means of illustrating the ancient writers to whom their whole souls are devoted. They dwell with the same zest on the *Hetærae* of Athens and the vestal virgins of Rome; on the functions of a *magister bibendi*, and those of a *pontifex*, or even the *rex sacri-*

*culus* himself; on the regulations of one of the Circensian games, and the ceremonies of a Lemural sacrifice; and perhaps we might even go farther, and assert our conviction that many a learned commentator, who could expatiate for hours on the *factio veneta*, or the *factio prasina* of the Circus Maximus, has never bestowed a thought on the curious and little-known institute of the *Fratres Arvales*, one of the most interesting examples of the domestic religion of at least the patrician families of Rome. The entire study, especially in England, has been pursued as a purely literary inquiry, without sentiment and without enthusiasm; or if any enthusiasm be occasionally discoverable, it is simply the enthusiasm of a cold and unsympathizing æstheticism. The latest writer of any eminence on the subject of the ancient Mysteries, Limburg-Brouwer, although he has collected all the opinions of the most distinguished modern philosophers and antiquarians on the subject, can find no higher origin for this curious and almost universal characteristic of every ancient system of religion, than the "fraud and imposition of priests who played on the superstitious and ignorant people."\*

Few modern antiquaries, indeed, have considered the ancient religions at all in their relations to Christianity. There is a class of writers, it is true, who have turned this, as they have turned almost every other conceivable subject, to the account of sectarian polemics. One of the most elegant scholars of England, in the last century, Conyers Middleton, owes much of his popularity among his countrymen to the zeal with which he applied his classical studies to the uses of anti-Roman controversy, by tracing the identity of the distinctive doctrines and practices of modern Rome with those of her Pagan prototype; and a later, but far inferior copyist of Middleton, Mr. Poynder, exhausted all the appliances of his slender learning in a similar attempt to establish the "Alliance of Popery and Heathenism." It is not to those, however, we allude;—nor to the admirable writers who have developed the Catholic view of the subject, to the learned Onofrio Panvini, or the still more systematical apologist of Catholic ceremonial, Marangoni, in his rare but most interesting

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\* *Histoire de la Civiliz. Morale et Religion chez les Grecs*. iv. p. 199.

*Cose Gentilesche trasportate ad Uso delle Chiese.*† We allude rather to the bearing which the subject has on the general question of the divinity of the Christian Religion, and even on the great inquiries connected with Natural Religion itself. In England especially, little thought has been given to this most important subject. English scholars and philosophers have, for the most part, been contented to consider the Greek and Roman religions as a mere matter of history, and to investigate the details of their doctrine or practice, without any special reference to their origin or to the relation which they may be supposed to bear, either retrospectively to the great primal revelation vouchsafed to man by his Creator, or prospectively to the new revelation of Our Lord to his Church.

It was thus, also, with the philosophers of France and Germany in the last generation. But the new school of scepticism which, for good or for evil, took the place in Germany of the hard and materialistic principles of the Encyclopædists of the eighteenth century, opened the way for different, and, with all the errors which they often involve, loftier principles, and, strange as this may seem, principles more in accordance with the very truth which they refuse to acknowledge. Amid the almost universal disruption of the sources of religious belief which there prevails, that instinctive longing after truth, of which the human mind, in its wildest wanderings, never entirely divests itself, has endeavoured to discover, in the ancient systems of Paganism, some fragments of that divine philosophy which it refuses to reverence in the simple Gospel of Our Lord. We do not allude now to the scarce concealed attempt of some philosophers to revive the project of the Neo-Platonists of the fourth century, and to set up the purified system of that school as the rival of Christianity; nor to the more ambitious plagiarisms, not only from the philosophers of the early schools, but even from their imitators, the Gnostic teachers of the second century, with which many of the lights of German philosophy have successfully mystified their disciples. We refer rather to that half-histori-

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† Roma, 1744—It is a work of great learning and research, and written in a spirit of criticism at once entirely reverent and perfectly free.



cal, half-philosophical school in Germany and elsewhere, which has taken Humanity as its God, and which, reducing history to a mere record of the progress of Human Nature, regards all the religions which the world has seen through its various stages, but as so many steps in its moral and intellectual career towards that degree of perfection (whatever it may be) which is its final destiny, or, rather, towards the complete consummation of that development of which its faculties are ultimately susceptible. Much of the speculation in which this school indulges,—many of the theories, for example, by which they attempt to interpret the mythological systems of Greece and Rome, and to trace the connexion of both with those of the Eastern nations—however erroneous in principle, and however visionary and fanciful in detail, are nevertheless, full of interest even for the most reverent inquirer, and may furnish material for research or for conjecture, which, rightly directed, leads to conclusions of the utmost importance for the true understanding of the religions of antiquity. The details of the inquiry, and even its method, are, in truth, the same for a Christian historian, and for a speculator of the school to which we allude. The difference is, that what the latter endeavours to read and to explain by the fanciful theory of human progress and of the perfectibility of the human race, the former seeks to connect, or at least to compare, with those scattered fragments of the great primeval revelation of God to our first parents, which, however disguised by fable or modified by local or traditional ideas, pervade in a greater or lesser degree every religious system of the ancient world; and which redeem, or at all events relieve, the materialism, and even the sensual grossness by which the least corrupt among them are deformed. But both alike propose to themselves, as their first purpose, to explore and analyse the actual systems, such as history hands them down to us; and both have at least one great object in common;—to collect from the ancient authors, and to digest and compare, all the most minute and authentic information as to detail, which the nature of the subject, and the difficulty of fully realising it to ourselves at such a distance of time and in a state of society so entirely different, will admit.

The first aspect of this subject is almost entirely new to English readers; and we feel sure that there are many to whom it will appear utterly unpractical, and little better

than mere literary trifling. But to the mind of Germany, which, whatever may be its defects—and they are many, and of a sufficiently fatal character—must be admitted to be far more spiritual in its tendencies, and more actively metaphysical in its habits, the subject is one not only highly attractive, but of deep practical interest. And the same is true of the so-called German school of French scholars. It is the same subject which, although in a sense far different and with entirely other views, forms the groundwork of all Schelling's later mythological writings. It enters largely into the great work of Limburg-Brouwer, on the moral and religious civilization of Greece and Rome; and among Catholics the Duc de Broglie has devoted to it one of the most valuable sections of the introduction of his *Life of Constantine*.

But it is only by the historians of the Christian Church that its full importance, and indeed, its absolute necessity, can be rightly appreciated. It is as the historian of the Church that Dr. Döllinger has undertaken it; and although there is not a sentence of Dr. Döllinger's volume which does not breathe the genuine spirit of the cultivated scholar and the profound master of classical learning, yet he never, from the beginning to the end, loses sight of the object indicated by the very title of his book; which, by a happy adaptation of what is itself a classical idea, he designates the "vestibule" [vor-halle] of the History of Christianity. Already, in the text-book of Church History, by which Dr. Döllinger is best known in those countries, he has treated very concisely, but yet in very broad and comprehensive outline, all the main bearings of this great subject; nor would it be easy to find a more striking picture of the moral and intellectual condition of the human race at the coming of our Lord, and of the degree of preparation for the preaching of Christianity which it implied, than is to be found in the opening chapters of that work. One phase of what he has there depicted in outline, Dr. Döllinger afterwards most minutely elaborated in his work on Hippolytus—the sketch of the *moral* condition of the Roman world in the early Christian centuries. We know nothing in the whole range of the literature of Greek and Roman antiquities, which for depth of research, ingenuity of treatment, and solidity of view, we should place above the third section of that remarkable work, in which are examined the charges

of Hippolytus against the moral teaching and disciplinary regulations of Pope Callistus.

It will easily be understood, therefore, that Dr. Döllinger has not come to this great work without full and mature preparation. We know no writer of the present age, indeed, in whom the varied qualifications for such a task are united in so eminent a degree. We do not speak simply of his general accomplishments as a historian, a philosopher, and a divine, nor of his perfect familiarity with the ancient authors, and with all the most distinguished modern antiquarians and commentators. This is an accomplishment which Dr. Döllinger, eminent as he is, can only claim in common with many distinguished German scholars. Neither do we allude to that singularly complete mastery of the modern philosophy of the German schools, and of its relations with the ancient systems, of which we find abundant incidental evidence in almost every one of his works. We refer, strange as it may seem, to the intimate acquaintance which he possesses with a subject which does not in any way enter into his present plan, and to which he never directly addresses himself—we mean the semi-pagan systems of the early Gnostic heretics, which form as it were the neutral ground between paganism and Christianity. These Gnostic systems, with all their errors and all their monstrosities, supply, in our opinion, the very best key to the relations between the two systems at the period of conflict which Dr. Döllinger has selected as the starting point of his history. It is plain, both from the avowal of more than one of the early Gnostics cited by Hippolytus in the *Philosophumena*, and from the charge of systematic plagiarism from the early philosophers which Hippolytus makes against them in that now celebrated work, that many of the tenets of Gnosticism were devised as a sort of compromise between the philosophical dogmas of paganism and the moral and dogmatical principles of the Christian religion. The doctrines, it is true, are often strangely perverted or misconceived. But we cannot help thinking that these very misconceptions and perversions are in themselves full of instruction for the critical historian. Many of the authors of these systems were adepts of the various schools of paganism. And thus their systems, ill-digested and heterogeneous as they are, are often suggestive of the points of view in which the Christian doctrines may have

presented themselves to an inquirer external to the Church, and biassed by the impressions already received from the antagonistic doctrines of the pagan philosophy. Now, although Dr. Döllinger does not professedly enter into any consideration of Gnosticism as such, and indeed hardly alludes to it at all in the course of his work, we can distinctly perceive the influence of his earlier studies of that subject—studies whose fruit the world has long enjoyed in the first volume of his *History of the Church*—in his account of the Persian Dualism and of its conflict with Magianism; in that of the forms of Pantheism which prevailed among the Greek and Roman philosophers and poets; and, what may be considered more extraordinary, even in what we look upon as the most complete and finished portion of his book—that which regards Plato and the old and new Platonic schools.

The question for which the “Heathenism and Judaism” is designed to supply the answer is in great part historical. The philosophical historian of Christianity will naturally ask: What was the doctrinal and moral condition of the world at the approach of Christianity? Were there any of the opinions or habits of thought then current among men upon which Christianity might engraft its own purer and holier doctrines? Was there anything in the then condition of the human mind that could serve as a preparation for its teachings, or could assist and even anticipate their propagation? And, on the other hand, what were the existing impediments, prejudices, and errors it had to overcome, the antagonists it had to battle with, the evils it had to remedy? And there is another question hardly less prominent, although it will strike different minds with different degrees of force, and will be discussed by the various schools in a very different spirit;—whether or how far Heathenism or Judaism may appear to have reacted upon Christianity, and to have influenced or modified its teachings, its practices, or its spirit?

When the great dogmatical and philosophical importance of these questions is considered, it may seem strange that no complete and systematic reply has ever been given to them, although many individual writers have prepared and put together the materials for different portions of the subject. Dr. Döllinger's present work, however, leaves little to be desired. It extends to nearly a thousand crowded octavo pages, and there is not a detail of this vast

and varied theme on which it may not be said to bring together and almost exhaust all the stores of ancient and modern learning.

The volume is divided into ten books. The first nine are devoted to the subject of Heathenism, and the tenth, which is by far the longest of the entire, to Judaism.

It is plain that, to attempt, within the brief limits at our disposal, any complete analysis of the contents of such a work would be but to trifle with the subject. We rejoice, therefore, in being enabled to announce that an English translation has been undertaken and has already made considerable progress. Before many months shall have passed, our theological and historical readers will have the means of studying and admiring for themselves the erudition and ability with which this vast plan has been filled up. In the mean-time we shall briefly describe the general order of the inquiry, and the arrangement of the several portions of the volume.

Of the nine books into which the subject of Heathenism is divided, the first is, in great measure, introductory. It contains a general survey of what may be called the religious geography of the world, both Roman and Barbarian, at the time of the appearance of Christianity. But, while its principal design is to supply an accurate chart of the topographical and ethnographical distribution of the various forms of Heathenism which prevailed among men, it enters, at the same time, with great learning, and with singular minuteness and precision, into the condition of the several populations, their moral and social characteristics, and the relations, whether political, commercial, social, or literary, which subsisted between them. This introductory book, in a word (making allowance for the diversity of the objects which the writers had in mind,) resembles, in many respects, Gibbon's celebrated survey of the Roman Empire at the commencement of the reign of Augustus Cæsar; but it is far more comprehensive in its plan, and, as might be expected from the subject, enters more minutely into many details, especially connected with religion, which would have been out of place in the design of the historian of the Decline and Fall. Religion, in the plan of Dr. Dollinger, holds the place which Gibbon assigns to the military and political institutions of the Roman and barbarian world.

From this introductory survey he proceeds to the reli-

gious history and condition of the Hellenic races, to which four books [II.-V.] are devoted.

The first of these, (Book II), discusses with most careful and elaborate minuteness the whole mythological system of the Greeks, both in its origin and in its historical details. Dr. Döllinger, discarding in this all the ingenious theories of certain popular mythologists, especially in Germany, traces the polytheism of the Greeks, as of all other more cultivated races, to the ideal or perhaps the material deification of Nature and of the idealized powers of Nature. The instinctive belief of one supreme and super-human Existence, was a relic of the primeval revelation; but the multiplicity of gods was an easy development of the principle of Nature-worship, once established among sensual minded men. The variety of climate and of country; the various appearances and powers of Nature in each; the variety of the manner in which they present themselves to the imaginations of different races, according to their greater or lesser degrees of susceptibility; nay, the very diversity of temperament in different ages or different conditions of society;—all readily found an expression in the development of the mythological system. Different nations, or different ages, selected different aspects of nature, as objects of admiration, of reverence, of hope, of fear, and eventually of worship; and, this principle once established, the rest insensibly or at least not unnaturally, followed; but followed nevertheless, in each particular instance, after a manner suited to the temperament of the nation or of the age. The transition from an ideal power or energy of Nature to a real supernatural personality, invested with that energy, was easy, and in perfect accordance with the notions of an imaginative people; and, a personal existence and individual character having once been ascribed by men to the deities thus formed for themselves, it was hardly in the order of things that, constituted as men were, they should not have conceived these beings under a human type, and invested them with human qualities, with human interests and sympathies, and even with human inclinations and passions.

It is thus that Dr. Döllinger describes in a most learned but singularly eloquent and attractive chapter, the origin among the ante-Hellenic races of element-worship, of the worship of the sun, moon, and stars, of the worship of the earth and its powers, and finally of the worship of the



powers and influences of the lower world. His account of the particular forms which the mythology thus originated assumed among the Hellenic races themselves, is most interesting. It was not the growth of a single nationality, or the embodiment of one order of ideas. It was the result, as Dr. Döllinger well explains, of the particular development and history of the Hellenic people. "Sprung from a medley of various races and populations—planted upon the frontier line between the east and west—this people, while the western element preponderated in its character, yet by its colonies, by its frequent and interchanging migrations, and by the constant intercourse which it maintained with Asia, introduced Asiatic manners and usages into its popular life, and Asiatic and Egyptian notions and rites into its religious system and habits of thought." (p. 57.)

The variety of forms and ideas thus introduced was still further modified by the separate nationalities which were comprised within the Hellenic confederation. To the investigation of these, Dr. Döllinger, after examining the common mythological system in detail, and describing under their various local and general characters all the divine personages which it comprises, devotes many most instructive sections. He points out the particular deities whose worship prevailed in the various provinces, Ionia, Doria, Messene, Thessaly, Crete, Cyprus, &c.; and traces with much ingenuity and learning the local and historical causes to which the prevalence of each worship in its respective locality was due. It is impossible not to understand the importance of this part of the subject, as bearing upon the religious condition of each population in reference to the coming Christianity.

Still more important in this sense is the book (III.) which Dr. Döllinger devotes to the Mysteries of the Hellenic religion. It is, in our judgment, by far the most complete and masterly essay which has yet been produced upon the subject, whether by ancient or modern scholars. No writer with whom we are acquainted has so thoroughly entered into the true spirit and the true import of this most characteristic feature of the religious institutes of the Greek races.

"An air of the mysterious," he says, "pervades the whole religious system of Greece; and everywhere there were things which were kept concealed, or the knowledge of which was restricted

to the priests and a limited circle of adepts. Thus there were secret names of gods, secret offerings, secret forms of invocation; women had their own secret religious services, which it was not lawful for men either to see or to know. There were also 'holy legends,' which explained certain specialities of the mythology or of the worship, and which could be learned from the priests, although they were in general kept secret; for example, the signification of the pomegranates in the hand of Juno's statue at Mycenæ, or the imageless festival of Juno celebrated by the Phliasiens. Such hidden legends for the most part either contained something local, which was at variance with the common mythological theories, or signified some obscene relation of the deity. There were temples which were always kept closed, as that of Aphrodite Urania at Ægira; groves which no foot was ever permitted to tread. Again, there were temples which the priests alone were allowed to enter, as that of Carneian Apollo at Sicyon, or of Diana at Pellene. Others could not be entered by women, as the sanctuary of Aphrodite Acræa in Cyprus; and on the contrary, the temple of Bacchus at Brysea in Laconia, was closed against men, and women alone were there permitted to celebrate a rite which was scrupulously concealed from men. Temples of Demeter were for the most part open only to women. The Thesmophorion especially, a sanctuary peculiarly dedicated to her, was rigorously held sacred from the presence of men. Many statues, too, were withheld from sight, or were only accessible to the priests; or, as the statues at Sicyon, were only exhibited once a-year, in a nocturnal procession. Very many of those offerings which were considered peculiarly efficacious, were celebrated with silent services or with closed doors. Such were the secret sacrifices to Lycean Zeus in Arcadia, and those to Juno at Mycenæ. If such a sacrifice as this were only accomplished by peculiar ceremonies and symbolical representations, the whole formed in itself a sort of 'mystery.' So it was, for example, with the nocturnal games celebrated in honour of a deity; as Plutarch observes of certain games dedicated to Melicertes, that they partook more of the character of a mystery than of a spectacle or of a public festival."—pp. 110-11.

Mysteries, accordingly, among the ancient Greeks, were of two kinds.

The first had its origin in the vicissitudes and alternations of conquest and ascendancy among races, which were so frequent in the infancy of society. It often happened that a conquered population, still surviving and living amidst its conquerors, privately maintained its own primitive worship, and perhaps cherished its hopes of national restoration, under the shelter of secret rites to the knowledge of which none but the initiated were admitted.

Such rites are sometimes designated by the name of mysteries.

But the mystery, properly so called, though often of foreign origin, and characterized by strange and unknown rites, was nevertheless formally engrafted upon the popular religion, and free from all suspicion of unlawfulness or of impiety towards the national worship.

Dr. Döllinger enters at great length into the history and origin of the various mysteries of both classes thus introduced or adopted into the common Hellenic religion, whether those known under the names of the particular deities whom they regarded ;—as the Orphic, the Bacchic, &c., or under the name of the country to which they owed their origin, as the Phrygian, the Samothracian, the Theban, the Lemnian, the Eleusinian, &c. By numberless illustrative passages, not only from the professed ancient writers upon religion, Pausanias, Plutarch, Plato, but from the philosophers, orators, tragic and comic poets, and from the ancient scholiasts and lexicographers, he traces out the connexion of them all, and proves beyond the possibility of question the substantial identity of several not only of the rites which by many have been regarded as distinct, but even of the deities or deified personages to whom they were dedicated.

The fourth book, on the priesthood, on oracles and divinations, on festivals, on temples, images, and the other appliances of external worship, is a most valuable resumé of all the learning ancient and modern that has been expended on the subject. But perhaps the part of Dr. Döllinger's researches on the heathenism of Greece which will possess the largest amount of popular interest in England, is the fifth book ;—on the Greek Philosophy and its influence on the religious character of the people. Even those who are most familiar with the systems of the early Greek philosophers of the Ionian and Eleatic schools, they will learn much of the modern bearings of that history from Dr. Döllinger's full and comprehensive sketches of Thales, Anaximander, Anaximenes, and above all, Heraclitus, on whose relations to modern German pantheism, and especially to that of Hegel, it is unnecessary to dwell. This, we need hardly say, forms no part of Dr. Döllinger's subject. He does not once directly allude to it. But it is impossible not to see that it was prominently before his mind as he wrote. In a few pages he has placed in a plainer light the

analogy between ancient and modern systems, than almost any writer we have yet seen; and he traces most clearly to the ancient systems all the moral consequences which have been so frequently and so justly denounced as the necessary result of the modern.

Nor has any writer with whom we are acquainted succeeded so well in grouping together all the strange and seemingly incompatible elements of the historical character of Socrates, nor in explaining the real nature of his relation with his contemporaries, and the true grounds of the hostility with which he was regarded. Indeed, the general views of the popular religion entertained in the schools of philosophy by the individual philosophers themselves, are discussed throughout with great learning and impartiality; and the fullest consideration is given to every topic which could possibly be supposed to illustrate this (for Dr. Döllinger's view most important) bearing of the subject. Among the individual philosophers of Greece, there is none who has received so large a share of his attention as Plato "the Divine." We regard the section on Plato as one of the most masterly essays in the whole range of classical and philosophical literature. As the necessities of our space compel us to be content with a very brief extract, we shall select the passage which discusses the particular topic to which we have just been alluding; we mean the views of Plato as to the popular religion of his countrymen.

"If we turn to consider the relation in which Plato stood to the prevailing religion, it may be said in general, that, differing in this from his earlier and contemporary brother philosophers, he concerned himself with it more intimately, and accorded to it a degree of recognition and a consideration which it is impossible to explain as the result of a mere calculating and accommodating spirit. In his ideal Republic no religion was to be admitted but the traditional religion of the Greeks; nothing was changed in the forms of the worship of the gods; and, on the contrary, many things were even referred to the adjudication of the Delphic oracle. In his last work, the 'Laws,' in which, descending more into practical detail than in the 'State,' he lays down a series of special provisions for the regulation of the whole life, and does not, as in the other, merely sketch the ideal of a model-republic under philosophic rule,—in this work, which is entirely practical, and written with a special regard to the requirements of the lower classes, religion in her pure polytheistic forms is the soul and the foundation of the nation. Plato lays down here for worship the ordinary graduated series of deities as

the objects of veneration ;—first the gods of Olympus, and the patron gods of the city ; next the Cthonic gods, and after these the Dæmons and heroes ; to worship these after the established rite, by offerings, prayers, vows, and other observances, is declared to be the most meritorious and the noblest of occupations. Every blessing which is to be found in the State is described by him as the gift of the gods ; everything in the State should be consecrated to them ; to violate their sanctuaries is the most grievous of crimes ; the gods themselves have, in their mercy, established festivals as means for the invigoration and reformation of declining morality. Even the *Dionysia* were expressly regarded by him as such.”—p. 297.

The most interesting part of Dr. Döllinger's remarks on the views of Plato in reference to the national religion, is that which regards his theory of Dæmon-worship.

“As Plato expressly asserted that a god never comes into immediate contact with men, but that all intercourse between gods and men takes place through the Dæmons, that offerings, consecrations, oracles, and the whole system of divination depend on these Dæmons, so it is impossible to doubt that, in his eyes, the greatest part of the worship of the gods is reputed as Dæmon-worship ;—a consideration, nevertheless, which did not diminish in his mind either its value or its necessity for the common people. Even for the philosopher revelling in the knowledge of the divine ideas it might be advisable not to neglect the service of these mediating beings ; for, although he looks forward to the occupation hereafter, in the future supra-mundane organization of the world, of a rank higher than theirs, yet is he not in this earthly life independent of them ;—he means that, when a country is assigned to the influence of the Dæmons, it is a matter of much moment whether their relation with the inhabitants be gracious or the contrary. At the same time he appears to have held it as desirable that the common people should rather be induced to cultivate the worship of a higher class of divine beings—the astral gods : but the recognition of the Supreme Godhead he required only of the rulers themselves. ‘There is a two-fold consideration,’ he says, ‘that leads to faith in the gods ;—first, that the soul is older and more divine than all created things ; and then the belief that the motion of the stars arises from a natural soul which dwells within them ; which he represents as an entirely new and hitherto unknown discovery.’ Hence, the study of astronomy is indispensable for religion :—in defect of this knowledge of it we should blaspheme the greatest of the deities, Helios, Selene, and the Stars, by speaking falsely of their motions.”—p. 298.

It is important, nevertheless, to know how far, while he acquiesced in the generally accepted mythology, Plato was

content to identify himself with the dogmatic teachings which it involved. On this point, Dr. Döllinger speaks with great clearness and precision.

"Thus Plato left open, in his system, a wide field for the popular Creed; but, at the same time, from the ethical point of view, he spoke out more explicitly and more sharply against the mythical histories of the gods, and against the prevailing view of the relations of men towards them. There were three fundamental errors of the Hellenic Heathenism which he combated most perseveringly: first, the notion of strife and disunion amongst the gods themselves; secondly, the delusion that the gods were moved by the dark human passions, envy, hatred, and anger, and that they were inclined to evil; and thirdly, the universal belief that men could easily make their peace with the gods for evil deeds by offerings, forms of prayer, and ceremonies;—an error on the fatal working of which he throws a gloomy light by the remark that men imagined that it was in their power to blot out the guilt of their misdeeds by revelry and debauchery."—pp. 298-9.

From the opinions of Plato and the Greek philosophers on the subject of popular mythology, we pass by a natural sequence to those of their Roman disciples and imitators. But in order to make room for this important topic we are obliged to omit all notice of the sixth book, which comprises the religions of Asia Minor, Caria, Phrygia, and Cappadocia; of Persia, Chaldea, Assyria, and Phœnicia; of that of Egypt, and also (if it can be called a distinct system) that of Carthage. Important as all these are, and especially in relation to a part of the subject which Dr. Döllinger is admirably fitted to discuss—the early Christian heresies—it is so utterly impossible, in a notice like this, even to indicate the leading topics of each part of the subject, that we must refer the reader to the original for anything like a satisfactory idea of the manner in which it is treated. Even as regards the western religions, and particularly the religion of Rome, and the Roman schools of philosophy in so far as they bear upon religion, which occupy the eighth and ninth books, we can only afford space for a single extract, which will probably be considered interesting in connexion with the above passage. Dr. Döllinger's treatment of the philosophical and religious aspects of the character of Cicero, is only second to the masterly essay upon Plato. They are so often spoken of together by the early Christian writers, that the reader will be glad to compare Dr.



Döllinger's account of Cicero's estimate of the popular religious system of his country with that which he gives of Plato's opinion regarding the national religion of Greece.

"It is remarkable how Cicero, in the whole range of his teaching, makes scarcely any use of the Deity. In his work *"De Officiis,"* he is content with a brief exhortation on the duties of men towards the Deity, although he assigns to them a rank before all others; but what they consist in he never explains. Nowhere is the doctrine of a God brought into intimate connexion with the doctrine of morals; nor are the moral precepts and obligations supported by the authority, the will, or the example of the Deity, the motives are always drawn from the purity and excellence of the *honestum* and from the evil and disgrace of vice. When, in speaking of testimony confirmed by an oath, he explains that man thereby calls God to witness, this god straightway resolves itself into man's own soul, as the most divine thing which the Deity has given to man. The idea of a retribution after death was not merely strange to him, as to so many of his contemporaries: he even declared it publicly in one of his orations, to be, as every one, he added, considered it, an idle fable. 'Do you think us so mad as to believe such things?' he cries out to his auditors, speaking of the judgment after death in the world below; and, in referring to the state after death, he knows but one alternative—either a cessation of existence, or a state of felicity. In an oath, the fear of the anger of the gods must not be a motive against perjury, for the gods are not subject to anger, but a regard for integrity and truth.

"As a statesman deeply impressed with the conviction that without religious institutions it was impossible to maintain the Roman State, Cicero expressed himself in very conservative terms on the religious system of Rome. As he holds it lawful in general for the magistracy to deceive the common people, so religion appears to him to be precisely the most fitting means for the purpose; and although in the work specially devoted to it, he speaks with most disparaging criticism of the entire system of divination, yet he insists that all the magistrates should have the right of auspices, as this afforded a useful means of preventing pernicious assemblies of the people. It is true he desires that superstition should be utterly eradicated; but he guards himself forthwith, by observing that it becomes a wise man to maintain the traditions of his forefathers by the observance of the sacred usages and ceremonies; and thus, he adds, there must be an end of all superstition—of everything in the things of religion and in the scrutiny of futurity, that is of foreign origin, and not prescribed by the State. On the contrary, everything should be externally observed and treated with the utmost reverence that rests on the usage of ancestors, or upon law and custom, however corrupt and deceitful it may be. Such was the ordinary view of the statesmen of antiquity."—pp. 571-2.

We should gladly continue this most able and instructive summary; but the reader will easily understand that it would carry us far beyond our allotted limits to attempt even an analysis of the details. The sketch of Cicero, indeed, is but one of a most interesting group of the philosophers and philosophical literature of the Roman, or so-called Roman, school. From the earliest introduction of the Greek philosophy down to the age of the Antonines, there is not a philosophical writer of any note, even to the half philosophers half poets of the Augustan age, who is not fully noticed, both as regards his own opinions, and as to the influence which he exercised on the public opinion of his day. The sketch of Horace is a most pleasing and ingenious one; and we have seldom read a more graphic or a more just estimate of the genius of the great philosophical historian, Tacitus, than is here condensed into a few pregnant sentences. The opinions of Tacitus are of course chiefly noticeable in their ethical bearings; and it is only in this light that Dr. Döllinger considers his philosophy. Indeed it would be difficult to find in any of the writers upon Roman history so interesting and at the same time so exact an account of the moral condition and character of the Romans at the close of the Republic, and the first generations of the Empire, as is contained in this and the following book.

It may be interesting to place in juxta-position with the sketches of Plato and Cicero, which we have extracted above, Dr. Döllinger's account of a philosopher of a very different school, but one who holds, in relation to his own people, and his own literature, a position somewhat analogous to theirs in Greece and Rome—we mean the celebrated Jew, Philo, which is contained in the tenth and concluding book upon Judaism.

“Sprung from one of the most illustrious families of his nation, Philo was, if we abstract from the apostolic circle, the most remarkable man, intellectually, whom the Jews ever possessed; a spirit highly gifted, cultivated by extensive study, thoroughly intimate with Greek literature, and yet of most sincere piety and steadfast faith. His writings breathe a tone of fiery enthusiasm and an elevation of thought, though it often seems to struggle with defectiveness of expression, and sometimes provokes a suspicion of want of definite conceptions and clearness of ideas.

“Convinced on the one hand that the Jewish religion rests upon divine revelation, and on the other intellectually captivated by the

speculations of the Greek schools, and in his own private views addicted to Platonic and Stoic opinions, Philo proceeds directly from the assumption that that philosophy whose truth he recognized, is contained in the Jewish religion, although in a manner unperceived by the great multitude of its followers. Not unfrequently, indeed, under the impression that he is following the Greek philosophy, he unconsciously remains true to his Jewish faith. To him Moses is the greatest of all philosophers; all philosophy comes but from Moses, and is identical with the religion delivered by him; when it does not fully coincide therewith, it is still nothing more than the handmaid of philosophy, that is, of that highest knowledge of God, which is only to be attained by the road of asceticism and contemplation.

"The neverfailing instrument which Philo used for the erection of this at once biblical and philosophical edifice, was the allegorical interpretation of the Pentateuch. He used it the more unrestrainedly, inasmuch as he saw that it was already traditional and reduced to a system by the Alexandrian Jews, and at the same time commonly adopted by the Greeks in the explanation of their myths. He appears not to have entertained a doubt that, by his allegorical interpretations, he had attained the true sense of the legislator. In the Sacred Book all is divine inspiration; an inexhaustible treasure of divine thoughts is hidden under the cover of the letter. This truth does not present itself in the first and naturally occurring sense of the words; this is frequently deceitful and false; on the contrary, it is often necessary to extract the kernel of religious truth from the historical or figurative shell in which it is concealed. 'On every little word of Scripture,' said the Rabbins, at a late period, 'hang whole mountains of doctrine.' Philo explains those meanings, as mysteries which are not meant for every one, it is true, but only for the initiated who are worthy of things so sublime. He goes to such length in this, that in one series of his works in which he treats the history of the individual patriarchs, he represents each of them as the type of a particular state of soul, and accommodates the whole scheme of interpretation to this assumption. As every immediate contact of God with the world is in contradiction to his idea of God, he is forced to explain away, as allegory, all the passages and narratives of scripture which imply such contact. That this system opened the way to the most reckless and arbitrary interpretation, did not cause him any concern, as he often found himself in a state which he describes as 'theoleptical,' and in which the highest inspirations flowed upon him. 'The most excellent and most perfect teaching,' he says, 'is that which God Himself pours into the soul; and I do not shrink from avowing that this is a state which I myself have innumerable times experienced.'"—pp. 838-40.

So much for Philo's direct relations to the religion of

his own people. On his direct views regarding the Greek philosophy and philosophers, especially Plato, Dr. Döllinger is equally interesting :

"Philo's admiration and love for his own people and his own faith, nevertheless, did not interfere with his recognition of the excellencies of Hellenism. To him Plato is 'the Great,' even 'the Holy;' he speaks of 'the holy community of the Pythagoreans'—the 'holy union of divine men,' a Parmenides, Empedocles, Zeno, Cleanthes. In Hellas he sees the cradle of science and of true human culture. It is true that in the back-ground there is always with him the idea that the best of these views are from the Hebrew source. Thus Heraclitus is traced back to Moses; Zeno is a nursling of the Jewish wisdom: in the laws of the Greeks too, there is much that is Jewish. Philo makes no difficulty in falling in with the Greek philosophers in their opinion about the stars; he also holds them to be animated beings; he regards these star-souls as pure spirits of a higher order, and with Plato, calls them 'visible gods,' although he undoubtedly uses the word in an improper sense. Yet they are, in his mind, representatives of God, although they are never to receive divine honours."—p. 841.

It would be interesting to follow out the account of each of the particular views of the leading doctrines by which Philo endeavoured to accommodate his national creed to the tenets of the Greek philosophy. It would be an inquiry especially important in its bearing upon the doctrine of the Logos, and on the allegations of many of the modern Rationalistic schools, as to supposed modifications which the Christian doctrine of the Unity of God underwent in its contact with the neo-platonists of the third and fourth century. Alexandria, it needs hardly be said, was the great theatre of this supposed contest of the two systems. Now, in the entire of the Platonist school of Alexandria, (if we allow for the strong tincture of Judaism which he always exhibited,) there is not a single writer who exhibits its doctrines in their peculiar relations to those of Christianity, with half the distinctness and significance of Philo.—We allude particularly to the subject of Ideas (pp. 842-3); of the Logos (844); and of Souls (845-7). But we regret that we cannot do more than refer the reader to the work for these details, all exceedingly interesting in themselves, and some of them of the highest dogmatical value in the modern rationalistic controversies.

From our dwelling so much upon these isolated sketches

of particular philosophers, it might perhaps be inferred that they exhibit a fair specimen of the general character of Dr. Döllinger's book, and that it deals rather with the literature of the ancient religions than with the religions themselves. This, however, would be a great mistake. The "Heathenism and Judaism" is eminently a book of practical detail. There is not a single institution of Grecian or Roman Heathenism—not a dogma of its mythology—not a rite of its liturgy—not a god of its Pantheon—not a festival of its calendar—not a peculiarity of its ethical code; which the author has not contrived to introduce into his comprehensive pages, and in reference to which he has not described everything that is really note-worthy or important. The fourth book is a complete summary of the religious antiquities of Greece; the seventh of those of Rome; both compiled with the utmost erudition, and embodying upon every subject the result of all the most careful modern research. The sixth book, on the religions of Asia and Africa, although of course by no means so minute as those on Greece and Rome, is in many respects even more admirable, and possesses everywhere the charm of novelty of facts and of originality of treatment. It condenses, in a most pleasing form, all the best modern learning on the religion of Persia, the nursing-mother of one of the most prolific families of heresy that overran the early eastern church. The religions of Chaldea, Assyria, and Phœnicia, are also treated with great success; and there is a most interesting section on the ancient religion of Arabia, which we regard as of great importance, as an introduction to the history of the origin and progress of Mahomedanism; a problem which students of ecclesiastical history, unprepared by such a recital, too often find perplexing and even painful in the investigation.

The section on Egypt is equally admirable. In them all, although the authorities mainly relied on are ancients, we are struck by the happy versatility with which both sources of learning are explored, and, while every modern theory is carefully discussed, every ancient authority is brought to bear on the inquiry. It is often difficult to say whether the author is more the scholar or the divine. He is equally happy in his illustrations from profane and from biblical literature.

We cannot close our observations, however, without

alluding to one or two omissions in Dr. Döllinger's book which occasioned some surprise among its critics.

The first is the omission, in describing the religions of Asia, of all notice of those of India and China, which have played (especially the former) so important a part in the religious history of the human race; the second, the comparatively meagre notice of the religion of the German and British races; which is derived exclusively from the account given by Cæsar and Tacitus, and altogether overlooks the researches of the modern writers on German mythology—the Grimms, Simrock, and their fellow antiquarians.

We must own to a certain feeling of disappointment on our own part at these omissions. To the first of them Dr. Döllinger himself alludes in his preface. His object in the work being solely to illustrate the religious condition of the world antecedent to the rise of Christianity, he thinks it would be out of place to enter into the subject of the religion of the Indian or ultra-Gangetic races, which, up to the time taken by him as his starting-point—the middle of the second century—had not come into contact with the rising Christianity, and cannot be supposed to have influenced its destinies. But, while we admit the practical justice of this view, we cannot help thinking that, independently of the indirect connexion of India with the western religions through the principles and traditions for which Greece was so largely indebted to her, much of the early Gnosticism, (especially its doctrine of emanations, of the universal restoration, and perhaps more than all, the extravagant and unchristian form which the principle of asceticism assumed under its direction,) can only find their explanation in connexion with the ancient Indian philosophy.

It is different as to the second—that which regards the German mythology. Not to speak of the vague and fanciful character of the speculations of Grimm and his fellow-antiquarians, this, as well as the Scandinavian mythology, clearly appertains, historically at least, to a later epoch; and whatever of counteracting, or still more of reactive influence it can be supposed to have exercised in relation to Christianity, is undoubtedly referable to the mediæval rather than to the early period. However interesting, therefore, this inquiry would be for its own sake, it would clearly be out of place in the work of Dr. Döllinger.



Nevertheless we cannot withhold the expression of our earnest hope, that Dr. Dollinger may yet add one other scene to the series of great historical pictures which this most memorable work presents. We are sure that a new edition will speedily be demanded; and we trust that the author will then find it advisable to subjoin, as a sort of pendant to his great tableau of the paganism of the early days of Christianity, a similar picture of the forms of heathenism which formed its adversary in its later conflicts—not alone the heathenism of the vast but highly civilized races of the east, but the heathenism of the motley races of the north and north-east, of the Scandinavian, the Finn, and the Magyar.

But perhaps we should own that this wish is almost unreasonable. What Dr. Dollinger has already done in the volumes now before us, we believe hardly any other living writer could have accomplished.

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ART. VIII.—*The Weekly Register and Tablet*, April and October, 1857.

“OF all earthly blessings Catholics have most reason to be grateful for the British Constitution.” This was the fervent effusion, on one occasion, of our contemporary, the *Weekly Register*; and in like manner, we remember the present excellent proprietor of the *Tablet* inaugurated his career by a profession of firm faith in the British Constitution. We sympathize with the feeling, which arises from the association of our constitution with its Catholic origin, and an obliviousness of the alterations which have done so much to obliterate its ancient Catholic character. This might be illustrated and substantiated, in numberless ways, from the columns of our contemporaries; and, curiously enough, in the very context of the eulogy we have just extracted from the *Register*. The very next sentence to that we have quoted was, “Protestantism is essentially persecuting;” our contemporary, however, going on to argue that the constitution protects us from the persecutions of Protestantism; we only wish that it did. Our contemporary forgets that the constitution was

formally re-modelled, at the era of the Revolution, upon the principles of Protestantism, and that it had been gradually altered by the infusion of the Protestant spirit, from the period of the fatal schism of the Reformation, so that its very basis at this moment, to a great extent, is the proscription of Catholics and of Catholicism. For instance, the Sovereign cannot be a Catholic; and takes an oath at her coronation to maintain Protestantism, i.e., to keep down Catholicism. Moreover, the Lord Chancellor, the head of that all-important branch of our constitution, the administration of justice, cannot be a Catholic; and, as a matter of practical working, no Judge in any English court is a Catholic, and the practical tendency of our judicial proceedings is injustice to Catholics, as both our contemporaries have often eloquently urged; and a main reason of this is that Protestants, even when sincerely anxious to do justice to us, can hardly escape doing injustice, through simple ignorance of our religion. How all this can be consistent with the notion that the constitution is to us the "greatest of earthly blessings," we are at a loss to imagine. So that when our contemporary, the *Register*, exults that it protects us from the persecutions of Protestantism, we repeat, we only wish that it did so, but alas! our contemporary has sometimes to complain and to prove that it does *not*. Our contemporary, indeed, reminds us that we are allowed to build churches and schools, and ungrateful indeed should we be to Divine Providence were we to be slow in acknowledging our deep sense of the large share of freedom enjoyed by the Catholics within the British dominions; a freedom which we doubt not is to be envied in the greater portion of the Catholic world. But when we concede thus much we must remind our contemporary that he forgets the extent of practical inconvenience and mischief of which we continue to be the victims by the practical working of many laws which were penal in their origin, and were enacted in an age of intolerance, and for the express purpose of keeping down Catholicism. Our contemporary indeed admits that our countrymen would persecute us, and stop our progress if they could, but urges that they are prevented by the constitution. Certainly however, it was not the *constitution* which prevented the passing of the Convent-inspection bill, or the withdrawal of the Grant to Maynooth; and it is the actual constitution which affords every facility for such

measures as these, and secures all real *power* to the Protestant majority of these countries. That they have not exercised that power yet in those matters, as they did exercise it against the hierarchy, obviously must be ascribed not to any virtue in the constitution; but to the fear of consequences, or to Providential circumstances. The Crimean war, our contemporary may depend upon it, had more to do with our protection than the constitution, which affords the Protestants of this empire large means of persecution, which by a predominant possession of legislative and in England an exclusive possession of judicial power are secured.

Let us illustrate these observations by a reference to the administration of justice, and in particular to the working of trial by jury in our regard, as to which our contemporary himself has had occasion to say that it not unfrequently reminds us of the age of Titus Oates; the very age in which our constitution was "formally settled." Well, a tree is known by its fruits, and we wish we could recal with more pleasure the judicial fruits of our boasted constitution. It did not protect the long list of Catholic victims, sacrificed at the era of the Revolution: from Staley, the tailor, to Lord Stafford, the peer, before the Revolution; or the Jacobite victims after the Revolution, Ashton and Anderdon, and the others who were slaughtered under Holt the 'constitutional' judge. Neither did it protect the long array of ecclesiastics sacrificed, even down to our own times, nominally for treason, but really for their faith. We say down to our own times, for we do not look on Archbishop Plunkett as more a victim to persecution than poor O'Quigly, the priest, who was hung at Maidstone in the early part of the present century, under the pretence of treason, merely on the pretext of a letter, said to have been *found*, and probably *put*, in his pocket. What did trial by jury do to protect him? when some of the jurymen were heard, before they entered the box, to say: "D— him! hanging is too good for them," meaning for the Catholic clergy. The truth is, that the forms of a constitution are a poor protection from the savage spirit of religious intolerance; and, unhappily, trial by jury—that boasted palladium of the constitution, practically affords the most potent *means* of persecution, when that persecution is in accordance with popular prejudice; which is precisely the case in which protection is most required. Juries

are taken from the classes the most *open* to prejudice, and most exposed to morbid influences; while on the other hand, the protection afforded by the ancient writ of attaint, (the remedy for an unjust verdict,) was practically got rid of at the era of the Revolution, in order the better to enable Protestant juries to give wicked verdicts, inspired by prejudice and hate of popery, and juries became utterly irresponsible. The only pretended substitute for the old constitutional responsibility, viz., public opinion, fails in just the very class of cases in which protection is most required; that is where the popular fury is favoured, or the popular prejudice pandered to, by the press; and in addition to this, it must be observed, that a jury is a *secret* tribunal, so secret, that even on an application for a new trial, affidavits of jurymen, as to what has passed in the jury box, are not receivable, and this of course tends to destroy the pretended responsibility to "public opinion;" for who can tell whether the formal or apparent concurrence of the whole twelve was real, or how far some of them may not have yielded to the pressure of hunger or other causes; so that, if any should assert this, they may thus relieve themselves from moral responsibility at the expense of the British constitution. The arbitrary requisition of unanimity in the verdict of a jury, which is not necessary in Scotland, is known to be nugatory, since it hardly can, in any case of difficulty, result in real unanimity, while on the other hand, it affords an encouragement to ignorant or interested obstinacy; and the knowledge of all this, while it tends to destroy or confuse individual responsibility, has long tended also to lower trial by jury in the opinion of intelligent men; so that, both in our criminal and court procedure, great inroads have of late been made upon it, and in large classes of cases it is done away, although in most cases of *actions* it still so far remains, that it can only be dispensed with *voluntarily*.

And now observe—in cases in which a plaintiff or prosecutor knows that he has popular prejudice to support him, he will *never* relinquish his right to trial by jury, which the constitution still secures him, in the very class of cases in which it is most pernicious and most certain to work injustice. Take the several suits and actions by which the Cardinal Archbishop has been persecuted ever since the creation of the hierarchy. In the case of *Metarie v. Wise-*

man, his Eminence's name was introduced prominently only for the very purpose of exciting prejudice, he having had no concern in the matter, and being only a formal party, and when the Court of Chancery offered an "issue," as it is called, i.e., a question to be tried by a jury, the parties really interested did not venture to accept the offer, which placed them entirely at the plaintiff's mercy, although, if the Court of Chancery itself could have tried the case, they would have been confident of justice and of success. The offer was, trial before Lord Campbell and a London jury. They declined it because they had no such confidence in our constitution, as our contemporaries profess, and the result was, that a valuable charity submitted to a large loss by way of "compromise" with parties who really had no case. Trial even by Lord Campbell himself would be preferable to trial by a jury before Lord Campbell; for in the former case, at least, his lordship would have to bear undivided responsibility, whereas in the case of a trial by jury, if a judge prejudiced can lead a jury (even if they require leading) to an unjust verdict, and yet appear to escape all responsibility for it; it is so easy in "summing up" a vast body of evidence, to give too little prominence to one topic, too much to another; dwell strongly on this, too faintly on that; bring out irrelevant points in strong relief, and keep others in the shade; insinuate and suggest what has not been proved, "just hint a fault, and hesitate dislike;" and when after all this has been done with fatal effect, the judge may say, in strict accordance with the British constitution, "The verdict was not mine; the jury were the judges. I admit it is a bad verdict, but I cannot help it." And thus by the British constitution the juries may give bad, unjust, stupid, or wicked verdicts, against which there is no remedy.

Take the case of Dr. Newman. Can any man doubt that if it had been tried (as now every civil case may be, if the parties consent,) by Mr. Justice Erle, without a jury, justice would probably have been done? Take, again, the case of the long litigation which arose out of the case of *Boyle v. Wiseman*. It was the argument of our contemporary, the "Register," at the time, that the Cardinal had a far better chance of justice with the Bench than with the jury, and the cause was ultimately compromised through fear of a jury. The court again and again decided for the

Cardinal, the jury always against him ; so unjustly, indeed, and so unreasonably, that the "Register" said truly enough, justice could only be hoped for from the court, and not from a jury. Well, but what becomes then of the boasted virtue of our blessed constitution, for trial by *judge* without jury is *not* according to the constitution, but in violation of it. It appears, then, that not in our constitution, but in a modification of it, must we hope for protection from persecution.

Take the last case of litigation with which the Cardinal has been visted ; the action of the Abbé Roux ; which was probably encouraged by the success of the action of Mr. Boyle, as it was commenced in the very summer in which that action went down for trial. A stale, absurd claim, seven years old, about a piece of paper of no earthly value to any one ; and treated as worthless all the time by all parties : a claim, which, against any one else but a Catholic ecclesiastic, would have been scouted as monstrous, is inflated and exaggerated, under the genial influence of trial by jury, into a demand for many hundreds of pounds ! And all, as we shall see, without the least pretence of legal right ; with no more shadow of *law* than of justice. For it is a vice of the British constitution in regard to judicial administration, that it practically allows claims as illegal as unjust, to be prosecuted with impunity ; and therefore (as we shall see) always with ultimate success, that is, provided only that the plaintiff can enlist the prejudices of a jury. And it is not only in cases involving the prejudice against Popery that this result is apparent, though that of course is the most egregious and infamous illustration of it ; but it is so in numerous other classes of cases, as is notorious to any one versed in trial by jury. Nothing is more common than for verdicts to be given, the iniquity of which is obvious to any one, and which are explained afterwards by counsel, and even by the court, by such significant observations as "that it was a jury of farmers," or a jury "of shop-keepers," &c., &c., meaning, that juries composed of classes, will act in defiance of law or justice, according to the prevailing prejudices of their class. And it often happens that verdicts are set aside and repeated, again and again, until the unfortunate defendant, perhaps half ruined, having to pay the costs of all the actions in which he fails, is vanquished by an unjust litigant, with the aid of unjust juries ;



wicked enough, obstinately to defy law, trample on justice, and disregard the obligation of their oaths. And, mark, the constitution allows all this; it is in accordance with the original institution itself of trial by jury, of which it was the main principle, that juries should be secret, arbitrary, irresponsible tribunals; for even the motion for a new trial, as against evidence, is comparatively a modern introduction invented to mitigate (or in many cases to aggravate) the iniquities of trial by jury. The reason is that the principle of the British constitution is, as it is now settled, one of harsh leaden rules, admitting of no elastic adaptation to the real requisitions of justice: but allowing within the scope of those rules impunity to any amount of iniquity. In the old times, when juries were subject to a writ of attaind, there were tribunals ready of access to remedy the grievances arising from the harsh administration of fixed rules, when they practically produced absurdity and injustice; but under the constitution as it now exists, we are bound to say, as the result of experience, that to the Catholic, at least, this portion of the constitution frequently fails to afford us a reasonable amount of protection.

That all this is absolutely the reverse of what was the case in the time of Cardinal Wolsey, can be shown from the experience of Cardinal Wiseman; and the simple fact that in the country in which, according even to the confession of his enemies, an English Cardinal established ready means of enforcing justice and equity, another English Cardinal should now be subject, by means of our judicial system, to oppression and persecution, is a most significant comment upon the eulogies of our modern constitution. For it is undeniable that, on the one hand, the proceedings against Cardinal Wiseman have revolted the sense of justice possessed by all really liberal and enlightened minds, even among Protestants, and on the other hand, that the forms of law, and the most diligent resort to all the means afforded by the judicial part of our constitution, have proved not only ineffective to protect him, but have absolutely been the very agencies of persecution. Our contemporary, the "Register," in his observations on the case, said, "It illustrates our remark, that in matters which touch Catholics, a jury is *even* less to be trusted than any judge, however prejudiced and unfair." But all this is at the very basis of our present constitution. The Protestantism of

the coronation oath, and of the Chancellor, is one of the main pillars of our constitution. And we see that its practical operation tends to deprive Catholics of justice. How, then, can they be grateful for its "protection?" It is not merely ecclesiastics. We know of cases in which mere private laymen have lost causes, through its being known that they were Catholics. It is said that a judge wrote down to the counsel of the Catholic a note, intimating that it was of no use his trying for a verdict, and suggesting a compromise. How does this illustrate the absurdity of a Catholic eulogy of "trial by jury!" The *judge* in most cases would do justice; the *juries* frequently perpetrate iniquity with impunity. It is not merely a matter of popular prejudice for which the constitution is not responsible. The "constitution," in its present form, creates or upholds the prejudice. How can Catholics be regarded by the common mass with other feelings than those of prejudice in a country where they are to a great extent proscribed? The existence of proscription perpetuates prejudice, and the proscription of Catholics is of the essence of the constitution. The existence of it grievously interferes with most judges and all juries in the administration of justice to Catholics. In the case of Dr. Newman the judge and jury together did injustice. In the first case of Cardinal Wiseman the Equity Judge would have done justice, but offered to remit the case to a judge and jury, and the alternative of such doubtful litigation was declined. In the second of Cardinal Wiseman's cases the litigation was accepted, the claim was resisted; and in the first trial the judge was just, but the jury so eagerly panted to be unjust, that their impatience broke out in the box, and they felt baulked by the nonsuit. At the second trial the judge and jury appeared equally to have yielded to prejudice; and in the third, no doubt the justice of the judge would have been neutralized by the injustice of the jury. The ablest and most experienced counsel thought so; and the same conclusion was arrived at in the last case, that of the Abbé Roux. The learned judge no doubt did not mean to be unjust, perhaps the jury did not, but they were so far controlled by the constitutional prejudice against Catholicism, that this absurd action resulted in the most flagrant injustice; and according to the judgment of the superior court, the judge and jury had illustrated the Scripture adage of the blind leading the

blind. The only difference between the judge and jury seemed to be that they were blinded by bigotry to the most obvious dictates of common sense and justice, while his vision was so far perverted that he failed to point out to them, with sufficient clearness, what he himself certainly saw, if not clearly, at least cloudily. For the most curious incident in the case was, that the judge saw its injustice and absurdity, and yet was his mind so far clouded and cramped by prejudice, that he did nothing effective to prevent the jury from perpetrating the most flagrant iniquity. And here comes in our blessed constitution; one of its pillars is, irresponsibility of judge and jury. The charge of a judge cannot be questioned before a superior court for error in point of fact. The grossest want of fairness in observations on matters of fact, if not amounting to misdirection in law, cannot be remedied or redressed. And a judge can generally steer clear of misdirection in *law*, while contriving to lead the jury, or allow them to fall into the darkest pit of blind injustice. If he say, "You must find for the plaintiff, for such and such a reason, and I direct the verdict;" that may be misdirection; but if he, by his comments on the case, lead them to that conclusion, and there is any evidence at all which can in strict law be deemed to warrant it, then there is no remedy, so far as *he* is concerned, and the verdict can only be questioned as against the weight of evidence, and set aside only on condition of the defeated party paying all the costs of the first trial, although every one can see—and the superior court openly avows that it can see—that the verdict was iniquitous, and that it was owing to a great error of judgment on the part of the judge. The decision of a jury is, by our constitutional theory, absolute and arbitrary, within the strict limits of their province. Its being set aside at all is an indulgence, and it is set aside only on a condition which implies that in giving a wrong verdict they did no wrong. For faults of the court the suitor does not pay; for failures not arising from the fault of the court, but of the jury, he *does* pay. The theory is that a jury can do no wrong. The practice is that a jury may do wrong with impunity. Thus, therefore, upon every ground, the grievances inflicted under trial by jury, are to be ascribed to our constitution, which allows and upholds them, and permits any redress very reluctantly, and on condition of a very heavy penalty, which

practically almost always precludes the attempt at redress, and is certain in the long run to result, as in the Cardinal's case, in the failure to obtain it. No one who has not observed for years the working of trial by jury, can form any idea of the vast amount of injustice and iniquity perpetrated under our judicial system, of which the cases of Cardinal Wiseman, or of Catholics in general, form indeed the most striking but by no means the only illustration.

The cases of Cardinal Wiseman, indeed, are positively monstrous. In one case Mr. Boyle was allowed by all the judges, to set up as damages arising from a certain publication, matters which occurred years before the publication! Not one of the judges, nor the court, appeared to have observed this absurdity, although to have excluded reference to the Islington affair, would have deprived the case of its main topic of prejudice.

On the other hand, in the case of the Abbé Roux, the plaintiff was permitted to include in the damage arising from the loss of a piece of paper, all the money which he pretended it was possible he might in future recover upon it, but which for seven years he had never tried to recover; which it did not appear he had ever really tried to recover, and which the whole case proved he never could have the least likelihood of recovering! It is difficult to say which case, in this plain, common sense view of it, was the most disgraceful to our judicature, or reflected least credit on the judicial system of our constitution.

But, perhaps, upon the whole, the later case was the worst: still all the cases are of the same character, and were so treated by our contemporaries. Thus the *Cork Examiner* says:—

"There is something positively atrocious in the conduct of English juries, in all cases where religious feeling is at all involved. No one can read without indignation the result of the action which was brought at Gloucester Assizes by a French priest, named Roux, against Cardinal Wiseman, for the loss of a document, by which the Hon. Madame Wyse, daughter of Prince Lucien Bonaparte, and wife of the Minister at Greece, purported to contract an obligation to the plaintiff for a sum of 25,000 francs. There was no evidence whatever that, in the opinion of any but men biassed by the grossest prejudice, could justify the verdict for £500 that was found for the plaintiff. Of course such a flagrant verdict cannot be allowed to stand, but affords a strong instance of the absolute blindness that seizes upon Englishmen,

whenever their religious bias comes into operation. Dr. Newman's case, the former action against Cardinal Wiseman, and the recent one, furnish concurrent proofs of the fact, that where sectarian prejudice is involved, justice is not to be expected from Englishmen."

The Register thus gave its account of the case:—

The article was entitled "*Administration of Justice in England*," and it ran thus:—

"To the delight of the Protestant world, the Cardinal Archbishop of Westminster has been dragged before an English court. In November, 1847, while His Eminence was administrator of the London district, the Abbé Roux came to London under pretence of endeavouring to arrange the differences which had long subsisted between Mr. Wyse and his wife, the Princess Letitia Bonaparte. He asked and obtained from the Cardinal an introduction to Mr. Wyse, and it then appeared that this disinterested mediator had some how or other induced Madame Wyse to give him an acknowledgment of 25,000*fr.*, which he hoped her husband might be prevailed upon to pay. Mr. Wyse, however, repudiated all notion of payment, either then or thereafter, and the Abbé went back to France. On the 9th of March, 1848, he wrote to Mr. Wyse's solicitor a letter which has been preserved, to 'entreat' Mr. Wyse to give the document in question to the bearer of the letter, alleging that its production was indispensable to his defence in some proceedings which Madame Wyse, with whom he had then quarrelled, had commenced against him in Paris. This letter proves that he then knew the document to be in Mr. Wyse's hands. How it came to be left with Mr. Wyse, unless by himself, no one at this distance of time can tell. At the trial he positively swore that he gave it to the Cardinal, who undertook to get the money for him or return the document. The latter part of this statement the Cardinal totally denies, although after a lapse of ten years he will not positively swear that the document was never in his hands. But he says that if it really was left with him, it was only to give to Mr. Wyse, who, as the Abbé's own letter shows, certainly had it in March, 1848. From that time nothing more was said about it until the summer of 1854," (just after the action of Mr. Boyle,) "when the Abbé applied to the Cardinal to give him back the document, pretending that it had been left with him in November, 1847, and alleging that his claim would be paid by the Emperor Napoleon if the original security were produced. The Cardinal had forgotten the whole affair, but as the late Archbishop of Paris had at the same time recommended the Abbé for employment in England, His Eminence assuming him to be a respectable person, promised that the document should be looked for and returned if found. It could not be found, and the Abbé then asked for a certificate that the

Cardinal had seen it in 1847, and believed it to have been since lost. This certificate the Cardinal gave, and there the matter rested. Shortly afterwards, at the request of Mgr. Sibour, he appointed the Abbé Roux Assistant French Priest at St. Mary's, Chelsea. In December, 1855, however, the Cardinal received communications which obliged him immediately to withdraw from him all his sacerdotal and missionary faculties, appointing at the same time an Ecclesiastical Commission to investigate the charges. The Commission sat for twenty days; the accused had notice, but refused to appear, though he deliberately swore at the trial that no opportunity of answering the charge was ever afforded him. The charges against him were established, and the withdrawal of his faculties, which was before provisional, was fully confirmed. In a letter which he wrote to His Eminence on the provisional withdrawal of his faculties being notified to him, he says expressly that he shall not leave London until he gets back his *titre*—that is to say, the document so often referred to."

Nor was it only Catholic journals who thus expressed themselves. Protestant journals were equally indignant. The "*Hull Advertiser*" commented upon the latest case in a spirit of bitter sarcasm:—

"Having carefully read and well considered the extraordinary decision of a Gloucestershire Jury, in the case of the Abbé Roux *versus* Cardinal Wiseman, we consider that it will be fortunate for the Cardinal if Governor Yeh, as the representative of the Emperor of China, be not advised to bring an action against His Eminence for the losses sustained by the Celestial Brother of the Sun and Moon, in the destruction of the forts and war junks in the Canton River by the British squadron, under the command of Admiral Sir Michael Seymour. Governor Yeh would not have the ghost of a chance of a verdict against Sir John Bowring; but judging from the way in which the law has been wrested for the purpose of catching the most exalted Ecclesiastic and the most accomplished scholar in the British Isles, we believe that it would not be difficult to find a British jury who would find the Cardinal guilty of having personally superintended the firing of Canton—the pillage of Yeh's official Palace—and the destruction of the Bogue Forts. Now, it is little to the credit of England that public opinion out of doors rather countenances than discourages this mean and despicable wresting of the free institutions of this fine old Monarchy to the purposes of a petty and cowardly persecution.

"As the Emperor's payment of the debts of the members of his family is an act of Imperial grace, any claim not acknowledged by them would be worthless. But the jury which tried Cardinal Wiseman last cared for none of these. Enough that an opportunity was afforded them of giving a verdict adverse to that eminent per-



son. And the smaller fry of lawyers, who are all jealous of the transcendent ability of this great churchman—who resent the perfect ease with which he triumphed over Westminster Hall on the occasion of the high judicial response to the celebrated Durham Letter, did their puny best to swell the tide of prejudice against him. Now this has gone on long enough, and therefore we appeal to the native and inherent generosity of Englishmen to put an end to it. Notwithstanding his princely Roman dignity, Cardinal Wiseman is a British subject, of whose devoted allegiance even our Gracious Sovereign Queen Victoria may well be proud. And right sure we are that, when Englishmen come to reflect upon the arrant cowardice involved in the petty legal persecution of such a man, they will not fail to resent it as a stain upon their national character. In the present temper of British juries it is competent for any profligate Priest to drag the Cardinal into a Court of Justice on a plea of liability to pay money, and to obtain a verdict against him. This is discreditable to the Bench, the Bar, and the jury box; and the way to put an end to it is to rouse the generous feelings of the country in reprobation of such pitiful proceedings. We trust also that some distinguished persons near the Throne will have the moral courage to take up this matter, with a view to the improvement of the tone of the better classes with respect to these things. The people of England may not consider that they owe much to Cardinal Wiseman, but they will all agree that they owe a great deal to themselves; and it only requires the least hint from a sufficiently elevated quarter to awaken them to a sense of what would be great and becoming in them on all future occasions."

What we wish to be observed, however, is, that although intelligent Protestants loudly and warmly thus demanded that this course of injustice should be put a stop to, the generous cry was, and must be, in vain: for there is no authority in the country known to the constitution, competent to respond to it. In vain did journal after journal reprobate the atrocious verdict; and public opinion—at least the popular part of it—was the very source of the evil; and the constitution provides no remedy for it.

The "Northern Times" thus sarcastically and indignantly described the practical result:—

"It will soon become a recognized principle of individual finance in this island that a person in a state of impecuniosity (to borrow a term from what may be styled the kid-glove and eye-glass school of literature), a person in an embarrassed pecuniary condition, must not be considered to have exhausted all his legitimate resources until he has sued Cardinal Wiseman for damages, under one pretext or another, and has lost his suit.

"If a man appeals to your purse for his own private wants, and solemnly assures you that he is on his last legs, ask him what he has done with the money he twisted out of His Eminence? If he denies that he ever got any money from His Eminence, give a natural vent to your indignation, tell him he is in that case an impostor who has no right to represent himself as reduced to desperate devices, for that you plainly see he has not yet taken his action against the Cardinal.

"It is possible that he may then plead, in a kind of hypocritical flutter, that he has no colourable case for such an action. Two replies are now in your power, with either of which you may smash him: you may say to him with a severe benevolence, intended to point the way to his perplexed thoughts out of the labyrinth of dulness: 'So much the better, Stupid; did not you know that, my poor man?' Or if you would dismiss him altogether, just smile superior, and tell him you may find time to confer with him some day, when he has got up the natural history of a British juror.

"But suppose you really feel an interest in the poor fellow, you can then seriously set about the plan of a case for him. It will be somehow of this nature: he must have had a document which is of no positive, intrinsic, compulsory value while it exists, but of which, as soon as it is lost, it may with truth be said, that who knows but it might, indirectly and contingently, through the peculiar feelings of some rich man, have been invested with a very considerable value, inasmuch as who knows, can anybody aver, that the rich man in question would not have given, for instance, a thousand pounds for it? Ah! who cannot aver this? Well, then, give me back the document, and let me try; that is fair, I suppose. There are several gaps in this reasoning; but they are easily supplied. It is evident that the document in question can never reach its proper contingent value until it is lost. Well, you contrive that the Cardinal shall, at one time or other, have seen it; get a letter from him to that effect. Good. Now, from that time forth, gentlemen of the jury, the fate of this document is a mystery. When last seen, &c. Good again. But what was the maximum value which the document, if now producible, might have commanded? Might now command, through the peculiar character of a certain rich man, who perhaps would (can you say that he would *not*?) have purchased it?"

This really conveys very well the true idea of the case; and we can bring it home from passages in the charge of the learned Judge who tried the case. For, as already observed, the worst fact of the matter is, that it can be clearly inferred from the language of this learned judge, that he was aware of the injustice of the claim; yet it can be equally shown from his own words, that he did nothing

effective to protect the defendant from it. Equally clear is it, that according to our judicial system, there is no remedy for this; for judge and jury are alike irresponsible, and though an error of a judge, in point of law, can be corrected, his errors as to the facts, are not remediable at all; while those of the jury are practically irremediable in the worst cases of all those in which they are wilful, or which arise from the prevailing prejudices of a class. The judge may know—the court may see—and even say, that the verdict has gone solely upon prejudice; yet there is no remedy.

For instance, what recourse is there if a judge takes a totally wrong view of the moral character and complexion of the case, as regards one of the parties, and conveys that idea to the jury at the very outset, so as at once to show the existence of prejudice in his own mind, and his disposition to connive at it in the jury? The character of this action really was the same as that of the previous one; it was in substance, (as the "*Register*" said of the former action,) an action against the Cardinal for the exercise of his ecclesiastical authority in the removal of a priest. The great topic urged by the counsel of Mr. Boyle, when complaining of a pretended libel in 1856, was his removal from Islington some years before. And in the case of the Abbé Roux—his first demand of the paper from the Cardinal, in 1854, was concurrent with an application for a cure; and the action for it was not commenced until after his removal from that cure in December 1855. The dates show this; yet so ready was the learned judge to seize hold of any topic of prejudice, that he was betrayed into a very considerable blunder; and when he heard that the demand was in December 1855, mistaking the year, he observed, "Ah, that was just a few days after the action was commenced." "No," said the Cardinal's counsel, gravely, "that was not until 1856." The case was exactly the reverse of what the learned judge's remark tended to convey to the jury. The action was after the dismissal. But it was a curious illustration of the tenacity of prejudice—that at a later period of the case another and different view was taken of the case, equally unfair to the Cardinal, and equally false. It having been suggested that the dismissal was on account of the action—it was afterwards insinuated that the appointment was to stave off the action. So blind is prejudice, that it is incapable of per-

ceiving how suicidal are its deadliest blows. The blow here aimed equally with the former one, recoiled upon the assailants. If the original appointment was made to prevent an action, then the same motive might be supposed to operate to prevent a removal. For the plaintiff was removed before the action, a step which must have been taken with the full persuasion that what had before been threatened, would now be resorted to, viz., an action. And as our contemporary, the "Register," states, the Abbé in the letter acknowledging the withdrawal of his faculties, hints not darkly at an action. So that the true aspect of the case is, that a bishop is sued by a priest on an absurd claim nearly ten years old, after he has, in conformity with the conclusions of a complete investigation, exercised that most solemn and sacred of his episcopal functions, in the removal of that priest. This then gives the case a substance precisely in character with the former one; and it was in reality an action for removing a priest: and obviously it was not brought for its professed object, or for any real injury. In the language of the "Register,"

"The real value of the paper was clearly nothing. The plaintiff, indeed, swears that the Emperor would pay the debt if it were produced. But the Imperial Minister of Finance, M. Fould, in reply to a formal inquiry on the subject, states 'that the investigation and payment of the Princess's debts was confided to him; that he never heard of any claim on the part of the Abbé Roux, and that in no case would any payment of his debt have been made, either in part or by way of compromise, until it had been previously acknowledged as correct by Madame Wyse herself.' And Madame Wyse, in her evidence taken in this cause, swears positively that nothing whatever is due upon this document, or otherwise from her to the Abbé Roux. The document, she swears, was obtained from her without value received, and simply for the purpose of imposing upon the late Archbishop of Paris, by affording an explanation of the frequent visits of the Abbé Roux to Madame Wyse, to which the Archbishop objected. Whether this statement is true or false makes no difference as to the value of the document. That depends upon her acknowledgment of the debt, which she distinctly denies; and were she to admit the debt, the document would be needless. In either case it is wholly without value."

And it is to be observed, that the only application pretended to have been made by the Abbé for payment, (to one M. Biot) was made after the action was brought, and obviously merely for the purposes of the action. How

would such an action have been treated in any other case than that of a Catholic Ecclesiastic? It would have been *scouted* with scorn.

With regard to the character and origin of the document, which was the subject of the suit, we prefer to describe it in the language of the learned Judge, at the trial. "The Abbé stated that he first became acquainted with Madame Wyse in 1845. He said he first became acquainted with her in consequence of knowing Cardinal Fesch, who was related to the Buonaparte family; this lady, being the daughter of Lucien, brother of the first emperor, is cousin to the present emperor. In consequence of his acquaintance with the Cardinal, and of the Cardinal's relationship with this lady, the Abbé was induced, without any application made to him, hearing of her distress, to attempt to relieve it. From his statements it would seem that he was exceedingly kind to her, making payments of money for her, paying the wages of her servants, and various other matters, during 1845-6-7, a period of three years. According to him he paid for her various sums, amounting to above 25,000 francs, (£1000,) and he said that, having settled his accounts with her, he took this acknowledgment from her for that amount. This acknowledgment was dated in September, 1847, and was the document in question." The learned Judge observed: "I do not find it stated under what circumstances it was that this wonderful benevolence was exhibited towards her. It certainly does seem very extraordinary that a person who, according to his own account was not a very rich man, should have borrowed money, and should have expended so much as 25,000 francs in paying the liabilities of this lady. It was no doubt very extraordinary. Madame Wyse herself utterly denied that she was indebted to the Abbé in any such amount. She admitted that the monies were laid out for her, but said that the Abbé sold her jewels and furniture, and recompensed himself, so that ultimately the balance was in her favour. Her statement on oath (examined on commission) was, that she never came to such a settlement of account with him, though she admitted having given him that and other documents to show to the Archbishop of Paris." No matter for what reason she admitted having signed the document, a copy of which was produced, so that it is plain that the document itself was of no consequence. Yet,

strange to say, this never seems to have occurred to the learned Judge to consider. "The Abbé stated (continued his Lordship,) that the settlement of account in September 1847 was in the presence of Madame Blonchon. Madame Wyse denied any such settlement of account. Madame Blonchon would have been a very important witness, *but was not called*. Madame Wyse's precise words were, 'I did sign a document acknowledging a debt of 25,000 francs to the Abbé, in order to its being produced for his own purposes, to the Archbishop, but at no time was I indebted to him more than 3000 francs, as he was receiving monies from me, and on my account, concurrently with the payments, and whatever sums were due to him have been fully re-imbursed to him, by monies paid to him by me, and received by him on my account, and by proceeds of sale of effects belonging to me, and retained by him.' Now," no doubt, (still using the language of the learned Judge,) "in the whole connection between the Abbé and Madame Wyse, there appears to have been a good deal of mystery; it was either extraordinary generosity in a person reduced as he was, with a poor mother dependent upon him, or it was something else which we do not understand, which may or may not, have occasioned that mode of dealing, which caused her to sign a document avowedly for one purpose, but intended to be used for another." But, if that was the object he had in view, (i.e. to deceive the Archbishop,) there was a double fraud, for he immediately, in the next month came to England, and presented the document to the Cardinal.

Here is the second stage of the strange story, which we shall continue in the words of the learned Judge, that our readers may be quite sure we are correct. Before passing it over, however, let us remark, that whatever collusion there may have been between Madame Wyse and the Abbé Roux, surely it would affect *him* as much as her, and whether there was collusion, or whether the document was really given as an acknowledgment of *her* debt, according to his statement, would depend very much on his subsequent conduct, which would tend pretty clearly to show for what purpose the document was gotten and given; and it is quite possible that it may have been given for some bye-purpose, which can be best detected by the purpose to which he actually did put it. And what was that? Not in the slightest degree as a security



against *her*, whom he represents as his debtor. He seeks to make it available against her *husband*. He sought to induce the Cardinal to become "intermediary" between himself and Mr. Wyse, and to promote a reconciliation with his wife, and *also* to obtain a recognition by the husband of the debt acknowledged by the wife. We may be excused for thinking that the *latter* must have been the main, or rather the *real* object; for surely it was a queer way of bringing about a reconciliation between husband and wife, to begin by demanding from him £1000, as a debt allowed to accumulate in three years, over and above her annual allowance of £200. Moreover, there is an observation, which we are astonished, did not occur to the learned judge, that if the object of the Abbé had been that of reconciliation, the obvious course would have been to have resorted to the husband *before* these liabilities were allowed to be incurred, and ascertained whether he *wished* them to be incurred, or would recognize them if incurred. That he should lie by, and get a separated wife to give an acknowledgment of an enormous amount, and *then* present this to the husband, as a claim against him, and should profess to do this as a means of *reconciliation* between them; this has always appeared to us the most extraordinary and unexplainable feature in the case, and we venture to think that the real object of the Abbé's visit to the Cardinal was, to get the money from the husband, partly, it was hoped, through the means of the Cardinal. Then, that being so, if the lady's account of the matter was unsatisfactory, that of the Abbé was still more so; and there is this to be said, that clearly by his own conduct it is confessed that the document was given for a collateral purpose as a means of getting the money from the husband, in which view it was quite as colourable as if it had been given merely to deceive the Archbishop; and its *bona fides* would not be one whit established by discarding that account of the matter which she gave, and adopting that which *he* put forward. Construing the document by his conduct, immediately after he obtained it, it is clear it was given and gotten, in order to obtain the money from Mr. Wyse, and very likely with her full concurrence. She may not have liked to confess this, and may have proposed the statement as to the Archbishop. But, at all events, we do not find her testifying surprise or displeasure at the document being used to obtain payment from the husband; and the subse-

quent conduct of the Abbé shows that it was got for that purpose, and no other. It was an awkward document in the hands of a third party, and one which a husband might like to obtain, even at the price of £1000; the more so, since all the circumstances under which it was given were extraordinary. Hence the visit of the Abbé to London, in Nov. 1847. And now for the second stage of the story.

We continue, in the words of the learned judge: "The Abbé stated that he handed the document with certain bills to the Cardinal, and that the Cardinal, with respect to the bills, was to hand them over to Mr. Wyse, to get rid of them; but that, with respect to this document in question, he was merely to endeavour to obtain payment, and that he only intrusted it to the Cardinal for the purpose of getting payment; but that if Mr. Wyse refused to recognize the debt, it was not to be handed to him." "I confided it to him that it might be shown to Mr. Wyse, and that the money might be obtained."

That is, according to the Abbé's own account, "he only intrusted it to the Cardinal to obtain payment," or for a temporary purpose, for the *benefit* of the Abbé, without any advantage to, or request by the Cardinal; not at all at his desire or as a favour to himself; and, observe, not on any agreement on his part to take care of the document after the temporary purpose was answered. We point this out particularly, as the very pith of the case; which, however—(a circumstance inexplicable to us)—appears altogether to have escaped notice. In fact, on the plaintiff's own showing, the Cardinal was not liable at all, unless it was proved by the plaintiff that His Eminence had been guilty of gross negligence in losing the document, or had artfully handed it to Wyse without getting the money. That is clearly the *law* of England; and it is as clearly common sense and sound morality. Yet not an atom of evidence was there of either of those things, the occurrence of *one* of which was essential to make out the shadow of a case, even on the plaintiff's own showing.

But (we now again quote the learned judge) "Cardinal Wiseman denied that there was any such handing over to him of the document, for the purpose represented by the plaintiff. 'Probably I had it in my hands, but that I kept it, or that it remained with me, I have no recollection.' The Abbé represented it to be at the Cardinal's; he came to him with a view to obtain a reconciliation between hus-

band and wife; but, the Cardinal stated 'as to my interference with Mr. Wyse in any other way, I not only have no recollection of it, but I am quite positive that it could not have occurred. If I had it at all, I must have passed it on to Mr. Wyse with the Abbé's consent. But as far as I recollect, I had no communication with Mr. Wyse upon this subject—I never saw it after the Abbé left England; I never heard or thought of it until six or seven years afterwards.'"

This was the Cardinal's account of the matter, and certainly it seems unlikely that a man of his discrimination should have accepted so absurd and hopeless a mission as the reconciliation of husband and wife, by means of a claim upon him to the sum of £1000, for debts which must have been incurred by her most improperly, being in excess of her annual allowance, at the rate of above £300 a year. A strange argument for a reconciliation. The Cardinal's account was certainly the more probable, that he undertook a mission of reconciliation; not one which could only tend to exasperation.

And this view was confirmed by the subsequent facts, which are thus stated by the learned judge. "The plaintiff said, I saw Mr. Wyse,—he thanked me for the bills; but, at his desire, nothing was said about his wife." That was in Nov. 1847, and the document was seen only in Dec. 1847, at the house of Mr. Wyse. It was seen by Mr. Helder, his attorney.

Well, in 1848, the Abbé, hearing that the document was in the hands of Mr. Wyse, wrote to Mr. Helder a letter, in which there was this passage:

"I beg Mr. Wyse to remit to M. O., the acknowledgment for 25,000 francs which Madame Wyse gave me." Now, (continued the learned judge,) "It is a very remarkable thing that, if the document had been intrusted to Cardinal Wiseman, no complaint should have been made upon the neglect from 1847 until 1854. There is nothing to show that, from 1847 to 1854, seven years, there was a word of complaint uttered against Cardinal Wiseman. Nothing appears to have been done, at least, until 1854."

What then occurred, will be the third stage of the story: but before passing from the second, it is impossible not to remark how it confirms the Cardinal's account of the matter. The Abbé admitted that he gave the Cardinal the document to be shown to Mr. Wyse. He admitted

having himself subsequently seen Mr. Wyse. It appeared, that very soon after, Mr. Wyse had the document. And then the plaintiff applies to him for it, and not to the Cardinal; and never applied to his Eminence until seven years afterwards, in the year 1856.

Much had occurred in the meantime;—the outcry about “papal aggression,” and the ill feeling it had engendered. Of this, the Abbé was well aware, and of one of its fruits;—the prolonged litigation, arising out of the action, encouraged by that state of feeling,—the action brought by the Rev. Mr. Boyle, in that very year 1854, and tried the first time in the summer of that year. It is just possible that this may have suggested the feasibility of another similar experiment on the popular feeling towards Cardinal Wiseman; for in that year, immediately after it had transpired that *Boyle v. Wiseman* stood for trial at the summer assizes; the first application was made to Cardinal Wiseman about a document pretended to have been intrusted to him in 1847! The theory is almost too monstrous to be seriously considered. However the application was made. And, being made, what on earth could the Cardinal say? Why, of course, nothing but what he did say, that he recollected nothing about the matter; that he would search for the document; that it was seven years since the transaction took place, and that he knew nothing about it. Fancy being asked to account for a paper, treated by all parties at the time, as of no consequence, and pretended to have been left with one seven years ago!

The Cardinal was beset with complaints about the injury which the Abbé sustained through the loss of the document. Since the lady who gave the acknowledgment was alive, and it was of no legal force as against her husband, who had repudiated it seven years before, it is not easy to see what value it could have had. It was suggested that the Emperor was paying off the debts of his family. “That however,” (as the learned judge observed,) “only applied to debts not disputed, and it would be a different matter, a debt, the existence of which was denied by the supposed debtor (as in this instance), and it can hardly be supposed that the Emperor would be likely to pay such debts as those.” Every one must concur in this observation of the judge, and that being so, what was or could be, the value of the document? especially as, assuming it producible, it

was given under circumstances which, to the learned judge, appeared so extraordinary. However the Cardinal was perfectly beset with piteous complaints about the advantage which the document might have been to the Abbé if it had not been lost; and, of course, could not but be in some degree concerned about it, although at this time, it was perfectly well known by the Abbé, that the document had been, with his tacit assent, in the hands of Mr. Wyse ever since 1848; when after once writing to him for it, he appeared to have acquiesced in its loss, probably from not seeing how in any way it could be valuable, and not then contemplating the possibility of its being rendered so through the anti-papal prejudices of an impartial British Jury. The feelings of the Cardinal on the matter, are well expressed in a letter he wrote to the Abbé in August 1854; the Abbé having been pestering his Eminence to interfere with the Emperor. After assenting to the Abbé's request for some employment in the arch-diocese, His Eminence proceeded (as translated):

"Since you have discovered that your documents were not mislaid in my hands: this manner of speaking, as if there existed some debt of justice on me, should cease. I am sensibly affected to hear that you hold me under the obligation of supporting you, or to procure you a situation, as if I had been the depository of a certain sum or its equivalent, which you ought to receive, but which was lost through fault of mine. I hope, therefore, that you will have made known to your friends that your documents were found to have been placed in other hands than mine."

Now that letter, written in August 1854, completely confirms the Cardinal's account of the matter; for the effect of it is, "you, the Abbé, know perfectly well, that the document was left, with your assent, in the hands of Wyse." The fact was palpable, that for seven years, the Abbé had acquiesced in its being in the hands of Mr. Wyse, and only thought of making a claim against the Cardinal, after the action of Boyle v. Wiseman. It really appears hardly creditable, that such an action should ever have been seriously entertained, and that it should not have been *scouted* even by the plaintiff's own counsel, as it certainly would have been (many years experience enables the writer to assert) in any other case than that of the Roman Cardinal.

Perhaps, indeed, the claim would not have been per-

sisted in but for the fact that the Abbé was, at his earnest entreaty, (as appears by the Cardinal's letter,) stationed on the mission at Chelsea. "He remained there until" (in the language of the learned judge) "some complaint was made against him, the particulars of which we do not know, and which the Abbé did not think it right to state to the court, (saying it was an ecclesiastical matter, and he was not bound to say anything about it there)."\* That complaint resulted in his quitting the Mission, and after that our readers will not perhaps be surprised that the action was carried on, and pressed, with every appliance and aid which the law allowed.

Among other aids to a suitor introduced by the late changes in Common Law procedure, is the power of examining on oath before trial, the party sued, so as to enable the suitor to shape his case and prepare his evidence to the best advantage. The Abbé's attorney availed himself of this, and probed the Cardinal to the utmost as to his recollection, having first ascertained that his client had led his Eminence into a correspondence on the subject, and had *seen* him several times about it, the result of which, of course, was that there would be the opportunity of comparing the Cardinal's letters with his answers to interrogatories, and taking advantage of any apparent variance; and further, that the Abbé would be able to give *his own account* of what passed at the several interviews, so as to afford a third and still more convenient test of the Cardinal's recollection. Only imagine a person's memory being subjected to this threefold system of torture, as to the loss, seven years ago, of a paper, regarded by all parties at the time as of no value. The recourse to all these methods showed the skill of the attorney; and his sense of the weakness of his client's case, which required all this art to eke it out. And that great reliance was placed upon the possibility of any variance in the Cardinal's statements, was shown by what actually occurred. His Eminence's answer to the first application having been that he could not recollect anything about it, he subsequently, on oath, stated that from having seen the letter of

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\* We, however, can state that there was a prolonged inquiry, before some of his brethren of the priesthood, and that it resulted in his retreat from the mission.



the Abbé to Helder, asking him for the document in 1847, he had no doubt that he (the Cardinal) never had it left with him. It was attempted to make a great deal of this, as a contradiction; which we only condescend to notice as showing how utterly any Catholic ecclesiastic must despair of receiving the smallest justice, and how recklessly and with perfect impunity his character may be assailed, without the least regard to sense, truth, or reason; upon grounds palpably, ridiculously, ludicrously futile and absurd. It is notorious that it is a principle of the English law, acted on daily, that a man may swear to a fact of which he has no particular recollection whatever, simply from seeing some entry or writing, which makes him morally certain that the thing must have happened, or could not have happened.\* And that a man when challenged about the loss of a trumpery paper seven years before, should say he cannot recollect about it, and then, on seeing some memorandum, be enabled to state positively his belief that he never had had it left with him, surely is the most natural and reasonable thing in the world. That it should have been pressed as a matter of moment against the Cardinal, shows how desperately rotten the case must have been to need such a wretched resource, and what confidence there must have been in the credence given to calumny which distinguishes an English jury, whenever Catholic ecclesiastics are concerned.

However, after this examination, the cause came on to be tried before Mr. Justice Crowder, at Gloucester, and the Cardinal swore distinctly that the document was never left with him, because (said the learned judge) he had, since his examination four weeks before, seen the Abbé's letter to Helder, written in February, 1848, asking him to return the document, he (the Abbé) having, as the Car-

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\* Thus no longer ago than in 1855, in the very court of Common Pleas, in which Mr. Justice Crowder sits, it was laid down "that the affidavit of a legal functionary is founded rather on his *practice* than on his belief." And *per* Cresswell J.; "an attesting witness, who recollects nothing as to the execution of the deed, may yet swear that, seeing his signature to it, he has no doubt that it was duly executed; and so the Commissioner might swear that, seeing his signature to the certificate, he has no doubt that all things were rightly done." Accordingly, notwithstanding many scruples, such an affidavit was made. *Ex parte Gardner*, 3 Com. Law Reports, 342.

dinal well knew, himself had an interview with Mr. Wyse in November, 1847, and knowing that the document was in his (Mr. Wyse's) hands in December in that same year. That was ground enough, we should think, for the Cardinal's belief that he never had the document left with him, especially since the Abbé had never asked him for it from that time until June, 1854. To evade the force of that damning fact, the Abbé swore that he never knew, until 1854, that Mr. Wyse had the document. He swore that, not knowing that his own letter to Helder (Mr. Wyse's solicitor) was in court, where it was produced. We quote the language of the learned judge, as we cannot trust ourselves to speak of it. "It was put to him in cross-examination—If, in 1848, you supplicated Mr. Wyse to send you the document, do you mean to say that you did not know it was in his hands? Ultimately, but after a long time, he said he *might* have *heard* it from some rumour. He said, 'I really did not *know* it.' When he wrote that letter, however, he must have heard it, and must have believed it; it is more than mere hearing it, because he must have believed at the time that it was in the hands of Mr. Wyse, and yet he swore positively that he never heard it. I do not think that his explanation afterwards was sufficient. He swore that he had not heard it. He certainly must have heard it. Nobody reading the letter could come to a contrary conclusion. You must take that, with the observations that have been made upon the credibility of the Abbé Roux." So said the Judge.

And our readers must take it too, and ask themselves, What can they think of a case supported entirely on the evidence of the Abbé Roux? And that, in opposition to the oath of Cardinal Wiseman, supported by the intrinsic probabilities of the case, and by the plaintiff's own words and conduct. And what do they think of a jury giving such a plaintiff a verdict, opposed to so overwhelming a preponderance of testimony—even his own? Was it the impartiality of justice, or was it the blindness of prejudice?

But was the judge free from blame? Did he do all that might have been done to guide the jury? Did he not rather mislead them? He summed up the case at great length, upwards of two hours, and the transcript of the short-hand writer's notes which lies before us, extends over six-and-thirty large and closely-written "brief sheets!" Yet in that long address there is not to be found an expla-

nation of what the question was which the jury had to determine! Or if there was, it was such an explanation, as was calculated only to mislead. We will extract all that bears on that, which of course was the vital point of the case, premising that, as there was no express undertaking to take care of the paper, (even on the plaintiff's own showing,) the Cardinal clearly could not be liable, unless he had handed over the document wilfully or carelessly, and without the assent of the Abbé, to Mr. Wyse or some one else, and that the only evidence on that question was, that in 1847 the plaintiff saw Mr. Wyse, and soon afterwards asked him for it, from which time, for seven years, he had never troubled any one about it.

Now it is hardly credible, but nevertheless, it is clearly the fact, that all along the learned judge put it to the jury as if the question was, not whether the Cardinal had parted with the document, but whether he ever had it left with him. As we should not be believed did we not copy the very words of the judge—we do so: "The question is, whether the document was handed over to, and left with the Cardinal. The Cardinal says, if I had it, I must have passed it over to Wyse at the plaintiff's request. He does not state that he did so, because he thinks he had nothing to do with it. If the Cardinal is right in his recollection," (i. e. that he had nothing to do with it,) "the plaintiff is not entitled to your verdict. But if the Cardinal handed the document to Wyse against the plaintiff's authority, still the Cardinal would be answerable;" (the word 'still' implying that this would not preclude his liability; not that it was essential to it; and that this was the meaning, is clear from what follows; the above being the best and strongest sentence in favour of the right way of putting the question, and being so equivocal as to be to us almost unintelligible, as most of the passages referring to this question were): "The plaintiff states that he said, here is the document: will you be intermediary, &c. If that is correct, and if he then handed it over to him, it appears to me, as I have already stated to you, that the plaintiff is entitled to your verdict." (That "he" there meant the plaintiff, and that "him," meant the Cardinal, is clear from what comes next). "If the document was so handed over to the Cardinal, and is not now forthcoming, it ought to be," (that is stated absolutely, and as we conceive erroneously, for its mere loss would

have given no right of action at all against the Cardinal ; nor does what follows mend it), " and if the Cardinal has done anything with it, he is answerable for it ;" an opinion far too vague to be of any avail to correct the impression which would naturally be derived from the previous passages, especially bearing in mind what the judge never adverted to, that the Abbé himself said he had given the document to the Cardinal " to *show it to Mr. Wyse*," which would justify a handing it over to Mr. Wyse ; and then as the Cardinal's office was purely voluntary and gratuitous, and entailed no responsibility, the plaintiff's remedy would be against Wyse. This, we repeat, although the *pith* of the case, was *never touched*.

It is clear that the document did in some way get into the hands of Mr. Wyse, for it is proved to have been seen by Mr. Helder in his possession in December, 1847. The question still remains, was the document taken by the Cardinal from the plaintiff with a given purpose, and did he or not put it out of his possession when it ought to have remained in his possession ? Here again the attention of the jury is not called to the fact that the Abbé acknowledged that he had authorized the Cardinal to *show* Wyse the paper ; and it is clearly implied that if the Cardinal once let it out of his possession he would be answerable for it ; a proposition scouted by the court, (as we shall see,) as perfectly monstrous and repugnant to reason, to justice, and to common sense. Yet the jury were over and over again invited to act upon it by the learned Judge, who went on to say, " If the Abbé did not hand it to Mr. Wyse, it must have been handed to him by the Cardinal," implying again, " that *if so*, the case was clear and conclusive against the Cardinal." And the learned Judge forgot to observe that the Abbé, even if he ventured to say he had not handed it himself to Mr. Wyse, clearly had, for seven years, *known* it to be, and allowed it to be, in his hands, and that subsequent ratification is as good as prior authority, according to one of the most ancient maxims of the civil, not less than the common law. It is true that his Lordship told the jury that if the Abbé had ratified the act of handing it over to Mr. Wyse, it would be as though it had been with his assent ; but the learned Judge omitted to inform the jury that ratification might be implied from silent acquiescence, as any authority or contract may be implied from tacit assent. Here

was the point—the pith of the case ; and the learned Judge left it almost wholly untouched, and utterly unelucidated. We venture to say it was the first time in the history of our judicature in which a judge omitted to tell a jury that *seven years' silence* (*six* being a *statutable bar*, which might have been pleaded,) was something from which they were not only at *liberty*, but in all reason and justice *bound*, to imply an entire acquiescence in what had taken place. Yet we can assure our readers that we have searched in vain through the minute “summing up” of the learned Judge for a single enunciation of that most just truth, so necessary to a right determination of the question. The learned Judge, on the other hand, implied the contrary. “If what the Abbé says is true, if he never authorised the Cardinal to part with the paper, (the Abbé having himself admitted on oath that he had authorised the Cardinal to show it to Mr. Wyse,) then whether it was given designedly or inadvertently into the hands of Mr. Wyse, the fact of its being in the hands of Mr. Wyse could not exonerate the Cardinal.” Laying it down, therefore, as clear law, that if the Cardinal showed it to Mr. Wyse, and Mr. Wyse retained it, and did not return it, then, although the plaintiff was well aware of this, and never complained to the Cardinal about it for seven years, and only once asked Mr. Wyse for it,—and then for seven years acquiesced in his having it—yet that the Cardinal (not Mr. Wyse) would be answerable for it! The learned Judge laid that down over and over again, and the fact being admitted that the Cardinal once had the paper in his *hands*, and that Mr. Wyse soon after had it, it really amounted to this, that if the jury believed the Cardinal once had it, as the Abbé represented, then that he was liable for it! notwithstanding all the accompanying facts, and the intervening circumstances which rendered such a construction a monstrous violation of all morality or equity, and an outrage on every idea of justice! We use this language advisedly, for (as we shall see) the Court of Queen's Bench expressed the same opinion, or implied it very clearly, when the case came before them. “The defendant,” said the learned Judge, “would be liable if the document were given to him for such a purpose as suggested by the plaintiff, and would not be liable if it were merely handed to him that he might pass it to Mr. Wyse.” And then the learned Judge added, that it

was odd the Cardinal should not have written to Mr. Wyse for it again; but omitted to notice that the Cardinal was aware that *seven years* had elapsed without complaint, and that the document in all probability had been lost or destroyed. Again. "The plaintiff says he left the document with the Cardinal for a particular purpose; if he is correct in that, he is entitled to a verdict." So was the same question put to the jury over and over again, by the learned Judge. And then, as to the question of amount of damages, not only did he not tell the jury—what we conceive he was clearly bound to tell them—that the document being one on which no suit could be maintained, and of which the *signature* was *admitted* by the only party affected by it, and who was still alive, it had no legal value whatever, and was one for which, even if there was any right of action at all, it could only be purely technical, and for damages merely nominal; not only did the learned Judge omit to tell the jury that; not only did he omit to notice that by seven years acquiescence the Abbé had himself shown that he did not value the document a straw; not only did he omit to mention that there was no evidence that the document had since acquired any value, its own nature remaining the same, utterly valueless in law, and as to any moral value, the circumstances being of so unsatisfactory a character as to deprive it of any; and as to any accidental value that might be attached to it through the disposition of the Emperor to pay the debts of his kinswoman—she was alive and admitted the signature, (which was all that the document could show), and denied the debt, (which was what the Emperor would look to); giving an account of the matter which must be judged of aliunde; not only did the judge omit to notice all this, and further, that there was no evidence that the Emperor's refusal to pay the debt, in the least degree arose from the absence of the document, (nor could it, since she admitted it); not only, we say, did the judge omit to notice all this, or any part of it, although plainly showing that the document was not worth a farthing; but he actually told the jury that if "they thought the Emperor would pay the debt, they ought to give the whole sum!" "If they thought," that is, not only without a particle of evidence, but against all the evidence in the case; "if they thought," i. e., if they chose to think so—contrary to all proof—why they might then mulct the Cardinal in a thousand pounds



for a document, which the judge and jury and all the world must have known was not—could not be—worth a farthing!

Well, without condescending to say anything of the jury, (except that their very verdict showed they knew they were in the wrong, for they gave only half the amount;—an obvious compromise between justice and prejudice—or rather between injustice and shame)—what did the court think of the verdict? we mean the “court above;” the full court presided over by Lord Campbell? Curious that the very judge who tried the case of Dr. Newman, should now have to adjudicate upon that of Cardinal Wiseman. What the court would think of the verdict even under the presidency of Lord Campbell, might have been confidently predicated from the sensation it created in court, and especially among the Protestant bar. One of the oldest and most experienced of them assured the writer that it quite staggered them! To this we may add, that the learned judge did not venture to certify that he was satisfied with the verdict; though it is true he forbore to certify that he was dissatisfied with it—how could he? since it certainly was in accordance with the prevailing tendency of his direction. The court perceived this, and Lord Campbell, when the case was moved, was surprised that the case was not moved for misdirection. However, although this was not the case, the counsel for the Abbé appeared so much afraid of the point, that they could not be induced to state what the direction had been, but the court persisted in eliciting what it had been, and tore it all to pieces, and this they did in a tone and spirit which plainly indicated some degree of indignation, and a deep sense that the learned judge had failed in putting the case properly to the jury. This part of the case is so interesting, and affords at once so vivid an illustration of the character of the case, and so complete a vindication of the Cardinal, that we shall extract the observations of the court in relation to it from our contemporary, the “*Weekly Register*,” premising that the “*Times*,” which had carefully given at the greatest length, the account of the trial which terminated so disastrously to the Cardinal, forbore to give any but the most meagre statement of the bare result of the appeal which terminated in his favour, pursuing that assassin-like policy, which led it to take the same course in the case of *Metairie v. Cooke*, and to print,

even before the case came on, all the affidavits against the party who was implicated, and report *verbatim*, all the speeches against him, and then *burke* the defence, the result of which act of moral assassination, was, that the unfortunate defendant speedily developed an affection of the heart which carried him to his grave, and involved his widow and children in hopeless ruin. To return, however, to the case of the Cardinal, the remarks of the judges in the court of Queen's Bench, were reported in the "Register" as follows, and in the "Tablet" to the same effect.

It should be mentioned that, when the case was first moved, Lord Campbell said he should have thought the letter of the Abbé to Helder, in 1847, decisive of the case.

His counsel when the case was argued, had not made much progress, when

"Justice Coleridge asked how the plaintiff had explained his letter to *Helder* for the document ?

Sergeant Pigott (his counsel) admitted that the only explanation was, that he could not comprehend how he came to write the letter, but that he had heard that Wyse had the document. The Cardinal's letter in 1854 appeared to admit that he had the document ; for it contained the expression "that it was rather left than deposited with him."

Justice Erle.—The fair construction of that letter appears to be, that the Cardinal having been written to by one whom he would suppose entitled to credit, and assured by him that he had received the document, replied, "*You say so ; if so, then at all events, I am sure of this, that it was rather left with me (as something worthless) than deposited with me.*" But what weighed with me in granting the rule was this, that in 1848 it is clear the plaintiff knew the document was in Wyse's hands, and he *applied to Helder, Wyse's solicitor, for it, not to the Cardinal.*

The Solicitor-General observed that the *plaintiff never ventured to say he had applied to the Cardinal about it until 1854.*

Justice Coleridge soon afterwards again alluded to the letter written by the plaintiff to Mr. Wyse's solicitor.

The counsel for the Abbé, Sergeant Pigott, went on to comment on the correspondence between the plaintiff and defendant, in which the plaintiff pressed the Cardinal to write to the Emperor in order to obtain payment of the money. Why did not the Cardinal write the letter ?

Justice Erle.—Why do you put that question ? Do you suggest that the Cardinal was in collusion with Wyse to defraud the plaintiff ? There should be some rational sequence or connection between a question you put, or a point you suggest, and the conclusion

you desire to establish. Why should the Cardinal have written to the Emperor? And what had that to do with the question whether he detained or had improperly disposed of the document? Nothing can be inferred, from his not writing, material to that question."

All this was a most cutting and severe sarcasm on Mr. Justice Crowder, who had dwelt strongly on this topic.

"Sergeant Pigott said he did not impute collusion to the Cardinal, but it was natural that he should have written the letter to the Emperor; whereas he had made great difficulty about it.

Justice Erle.—No doubt, the Cardinal was reluctant to write such a letter, and might naturally hesitate, supposing that it might compromise his position.

Sergeant Pigott.—His promise to write in the first instance implied that he thought the plaintiff had a claim upon him.

Justice Erle.—Not at all. You can infer nothing from that. It was a mere kindness. The plaintiff originally asked him to intervene as an act of kindness. *Is a man to be made liable for an act of good nature?"*

Mr. Justice Erle here hit the very character of the action, and expressed in a very pungent way his idea of it. When the Abbé's counsel, Pigott, urged that there was evidence that the Cardinal had handed the document to Wyse,

"Justice Erle said, if the Cardinal handed it to him with the assent of the plaintiff he would not be liable, *and the evidence rather points to that conclusion.* The plaintiff's own case is, that he delivered the paper to the Cardinal for the *purpose* of mediation: and that looks like an authority to show it to Wyse. Could any action be maintained for showing it to him?

Sergeant Pigott—Probably not.

Justice Erle—Then, if Wyse kept it, would the Cardinal be responsible?

Sergeant Pigott—Not unless the Cardinal gave it him.

Justice Erle—But he must give it him to show it him—would he be responsible if Wyse kept it or destroyed it?

Sergeant Pigott—Perhaps not, if Wyse destroyed it; but he ought not to have let Wyse have it to keep.

Justice Coleridge—The plaintiff admits that the other documents he delivered to the Cardinal were to be handed to Wyse.

Justice Erle—What was the question left to the jury?

Sergeant Pigott—Whether the jury believed the account given by the plaintiff.

Justice Erle—Then, if they did, were they to give a verdict for the plaintiff, with any amount of damages? But then, what ques-

tion arose on his statement? What was the way in which you said that his evidence supported the action? On what ground did you put it?

Sergeant Pigott—The verdict was for detaining; but there are two other complaints; for disposing of the paper, and for negligence.

Justice Crompton—You put your case at the trial on this—that the defendant once had the paper; that therefore he has it now, and so he detained it. Now, would it not be fair to take another ground, and say that he had wrongfully disposed of it? He might have had evidence to meet that complaint. And on the evidence as it is, it appears that the plaintiff *knew ten years ago that Wyse had the paper and yet never complained to the Cardinal about it*. The action for detention supposes that the defendant *has* the document, or that he has *recently* had it: but the other ground is different, that the Cardinal handed the document to Wyse. Now—on what ground do you go—the *detention*, or the wrongful disposition?

Sergeant Pigott—We are entitled to go on both.

Justice Crompton—That is not fair: you did not so put your case at the trial. The verdict was taken for detention.

Sergeant Pigott—The plaintiff can sustain his case on that.

Justice Crompton—At what time do you say he detained the document?

Sergeant Pigott—We may say that he detained it at any time.

Justice Crompton—*Ten years before action!*

Sergeant Pigott—Yes.

Justice Erle—But the defendant has not 'the paper now. And he is not liable for showing it to Wyse, although thereby it got into his hands.

Justice Coleridge—Very likely, as between gentlemen, the Cardinal would show Mr. Wyse the document, and leave it in his hands.

Justice Crompton—And do you say that if inadvertently it remained in his hands the Cardinal would be liable?

Sergeant Pigott—We do.

Justice Coleridge—No doubt, the *fact* was so.

Justice Erle—But did the judge leave the question to the jury thus: that if they believed the defendant *showed* Wyse the document, he was liable; or thus: that if he *gave* it to him, he was liable? The difference is most important. Was the question left to the jury, whether the Cardinal handed Wyse the paper *animo donandi*?

Justice Crompton—That is, *intending* that Wyse should keep it; the question would be very different, if it were put simply whether the Cardinal *showed* Wyse the document. How do you put your case?

Sergeant Pigott—That the Cardinal gave Wyse the document.

Justice Crompton—*That could hardly have been your way of putting it, for the plaintiff swore he did not know that Wyse had it.*

Justice Erle—It is a strange thing that we cannot get a plain answer to a very plain question. What was the question left to the jury? The evidence of course must be very different upon different questions.

Sergeant Pigott said the question was, whether the Cardinal had delivered over the document to Mr. Wyse.

Justice Erle—*Where is there a particle of evidence that he did so?*

Sergeant Pigott contended that it might be inferred from the evidence.

Justice Crompton said it was one thing to prove a deposit of the document with the defendant, and another thing to prove that he had wrongfully detained it. How could he be said to have done so if the document had been handed to another with the plaintiff's assent, and that other person detained it?

Mr. Justice Coleridge observed, that the Abbé asked in his letter of 1847, for the bills as well as the acknowledgment. Now the bills he admits had been handed to Wyse with his consent, and that they might not be negotiated. Yet he asks for them again. And it is rather remarkable that if the two cases of the bills and of the document in question were so distinct and separate as he would have us believe, he did not in that letter refer to the document as one which he had entrusted to the Cardinal, and which by his culpable neglect had got into the hands of Wyse.

Mr. Huddleston, (one of the Abbé's counsel)—*No doubt, it is open to that observation.*

Mr. Justice Coleridge—The more so, since his own case is that the Cardinal was right as to the bills, and wrong as to the acknowledgment.

Mr. Huddleston—No doubt. But the Cardinal, in 1854, said he would look for the document.

Mr. Justice Coleridge—A man might naturally say, "I believe I never had the document; but, as you say I had, I will look for it."

Such being the disposition of the court, the counsel for the Cardinal had an easy task.

"The Solicitor General addressing the Court on behalf of the Cardinal in support of the rule for a new trial, begged his Lordship to recollect the manner in which the plaintiff had presented the case to the jury; and to bear in mind that he came forward to fix the Cardinal, on his own evidence, with a liability for £1,000. He swore positively that he had given the paper to the Cardinal not to be handed over to Wyse without the money, and did not disclose that so soon as 1847 he knew that Wyse had got it, and from that time to 1854, seven years, had made no application to

the Cardinal for it. The judge at the trial said, that this was 'most strange.' Nor was this all. The plaintiff swore most positively, that he did not know until 1854, that Wyse had the document. He swore this over and over again—he swore it emphatically, and most solemnly—until his letter to Helder, dated 1848, was put into his hands, in which he begged that gentleman to get him the document back from Wyse. The learned judge at the trial commented upon these points and said—'The plaintiff in his examination said most distinctly that he did not know until 1854, when he went to Helder's office, that the document had been in the hands of Mr. Wyse. He swore distinctly, that he never knew that until 1854. He swore it in a very emphatic manner. He was asked—'Do you mean to swear it?' He said—'Yes, I swear it,' in the strongest way in which he could put it. He was then asked to read this passage in his letter; and whether he abides by his positive oath, that he did not know until 1854 that the document was in Mr. Wyse's hands. The words in his letter were: 'I also beg Mr. Wyse to be so good as to remit the acknowledgment of Madame Wyse, for if she knew it had passed out of my hands,' &c. It would certainly seem from that, that at that time he was aware that the document was in the hands of Mr. Wyse, or he would hardly have written as he did. It was put to him in cross-examination, 'If in 1848, you begged Mr. Wyse to send back the document, do you mean to say that you did not know that it was in his hands?' Ultimately, but after a long time, he said he might have heard it from some rumour. He tried to explain it by something he had heard from some one else. He says: 'I cannot comprehend how I came to write the letter. It must have been from hearing,' &c. But it is more than hearing. It is plain from the letter that he must have heard at that time that it was in the hands of Wyse, and yet he swore positively that he never heard it. I do not think, I confess, that his explanation is sufficient upon that point. He must have heard it. No one who read this passage in the letter could come to a contrary conclusion. You must take this with the observations which have been made upon the credibility of the Abbé. And then the learned judge went on to say that there was no evidence that between 1847 and 1854 the plaintiff ever applied to the Cardinal for the paper, and that this was 'most strange.' Now in a case in which so much depended upon the evidence of the plaintiff it was very important to see what were the undisputed points. It was plain that in Nov., 1847, the plaintiff had an interview with Wyse. It was clear that with the plaintiff's consent Wyse had the bills. It was plain that in Dec., 1847, Wyse had the document in question. It was clear that in 1848 the plaintiff was aware of this, and from that time till 1854 he had never asked the Cardinal for it. The obvious inference was, that it had been handed to Wyse with his concurrence—either by himself or by the Cardinal with his consent. And what more natural than that he should consent to it, having



first ascertained that Wyse would not recognise it: and that it was of no use to attempt to enforce it adversely against him?—but it would be more prudent to try conciliation, especially as he professed that his great object was to effect a reconciliation between Mr. Wyse and his wife.

Mr. Justice Coleridge—*It would be natural and reasonable that under such circumstances a great discretion should be entrusted to the Cardinal, as to the manner of dealing with the document.*

The Solicitor-General—Exactly so; as otherwise it is not conceivable that a person in the position of the Cardinal would accept any such mission as the plaintiff swore he had undertaken.

Mr. Justice Coleridge—Entirely, as he represented, with a view to reconcile the husband and wife.

Mr. Justice Crompton—With that object, it was very natural and proper that an ecclesiastic should undertake the mission.

The Solicitor-General—Just so. But not, as the plaintiff represented, to render himself absolutely responsible for the document if it ever got into the hands of Wyse, without obtaining the money for it.

Mr. Justice Coleridge—There is a search promised for the document, but that does not imply that the Cardinal believed he had the document."

In a few moments the court interrupted the Cardinal's counsel, and declared that a new trial must take place. Well, and what was the practical result?

We now come to the *working* of the judicial part of the British constitution; it was admitted that gross injustice had been done, and it was clearly implied that on the one hand the judge had not properly put the question to the jury; and it was adjudged that the evidence on which the verdict had been found did not support it. To a continental reader it would appear that justice was at last to be done to the Cardinal. Not at all. Quite the contrary. This was merely a renewal of litigation—at his risk, and on condition of payment by him of an enormous penalty; the whole cost of the first trial! That is to say, a man is first subjected to grievous injustice, and then he is forced to pay all the expense of such injustice as a condition of his being allowed any chance of redress! It would be a mere chance; and the risk all against him. For as one jury did not hesitate to give a verdict against him contrary to reason, justice, and sense, so neither could it be at all expected that another would hesitate to do so; and the costs he would be forced to pay, amounted to pretty nearly the amount of the ver-

dict. Therefore the Cardinal's counsel prudently advised him, even with the opinion of the court thoroughly in his favour, not to appeal to another jury; the same result ensued as in the other cases, that the Cardinal, with law and justice on his side, was forced, by litigation, to succumb to an unjust claim, and to submit to a penalty which we believe was not far short of a thousand pounds, on a pretended cause of action which the court scouted, but which thus, in effect, ultimately succeeded; under the auspices, and by the working of the British constitution! Truly, then, we Catholics have small reason to be grateful for its protection; as little indeed as the Catholic widows of soldiers, whose children are proselytised out of funds raised for their "relief;" and all, as the "Register" and "Tablet" have eloquently urged, without redress. We have nothing more to say of the case than to conclude in the language of the "Register:"

"The case therefore, is but another stain upon the boasted purity of *English justice*. Catholics, and especially Catholic dignitaries, have in England no chance of justice, and even less from a jury than from a judge. It is impossible to say to what extent this systematic injustice may any day be carried, and whether, as we have been wont to flatter ourselves, the days of even Titus Oates himself, are for ever gone by. Trial by jury is invaluable as a security against the encroachments of an unpopular Government upon popular rights; as a security to an unpopular party, it is worth much less than nothing. The result is, as was remarked by the *Times* itself upon the Achilli trial four years ago, that such persons as Dr. Achilli and the Abbé Roux are made to understand, that whatever they swear will be taken for gospel if it is only against a Catholic Bishop or leading Catholic Ecclesiastic."

Alas! true, most true: but what becomes of the boasted virtue of the "British constitution?" And will it be believed that the above extract comes from that very journal which at another time will break out into a cry of exulting gratitude for the benefits which Catholics derive from it, and declare that it "protects them from persecution!" We only wish it did: but we will not despair. Let us hope and pray that the Reign of Bigotry may speedily cease, and that our constitution may work itself round into a system of equal justice to *all* British subjects, and thus render our country the most just, as she surely is the greatest and most glorious, that the world has ever witnessed.

*Note to "Filioque," page 307.*

The following note arrived too late to be inserted in its proper place.

When we wrote these words we had no hesitation in thus giving a direct contradiction to Mr. Woodgate's strange story, for we knew that it *could not* be true. But since that time, by the favour of Padre Zanetti, we have received the following full and authentic refutation from the Bishop himself of the United Greeks in Sicily.

Testimonium Illusmi, ac Reymi. Domini Josephi Crispi, Dei et Apostolicæ Sedis gratia Episcopi Græcorum Albanensium in Sicilia.

Cum pridem in Anglia liber quidam editus sit, in quo auctor ad probandum nullam esse in Ecclesia Catholica unitatem, inter alia in probationem offert; se nuper a catholico quodam in Sicilia commorante didicisse, Græcos, ut nominantur, unitos symbolum sine additamento *Filioque* recitantes non solum vocem, sed fidem etiam in voce hac contentam reseculisse, et tamen in communione cum ecclesia Romana esse: ut suus sit veritati locus, utque ab hac falsa criminatione nationis meæ atque ecclesiæ Catholicæ Romanæ honorem vindicem, fateor atque etiam profiteor, Græcos Albanenses in Sicilia degentes, qui Catholici omnes sunt ex Græcis unitis, non modo eandem prorsus, ac Latini servare fidem in voce illa *Filioque* contentam, verum etiam vocem ipsam *Filioque* in symbolo usurpare: quinimmo in extrema abside templi maximi Palatis Adriani, quod unum est ex quinque oppidis Græcorum Albanensium in Sicilia, videre est grandioribus litteris inscriptum, velut Græcorum unitorum insigne, καὶ Υἱὸς (*Filioque*). Præterea hac super re Bededictus ix. pontifex maximus fidem facit minime dubiam. Ipse enim in Bulla etsi pastoralis edita pro Italo-Græcis, inter quos Albanenses Italiæ et Siciliæ accensentur, postquam exposuerit "quod Spiritus Sanctus a Patre et Filio æternaliter est, et essentiam suam, suumque esse subsistens habet ex Patre simul et Filio, et ex utroque æternaliter procedit tanquam ab uno principio, et una spiratione, et quod ea verborum illorum *Filioque* explicatio, veritatis declarandæ gratia et imminente tunc necessitate, licite et rationabiliter symbolo fuit apposita:" et postquam illud declaraverit, nempe, "Etsi autem Græci teneantur credere etiam a filio Spiritum Sanctum procedere; non tamen tenentur in symbolo pronunciare," continuo ea verba subjicit, "contraria tamen consuetudo ab Albanensibus Græci ritus laudabiliter recepta est;" quæ cum ita sint clarissime liquet quam false Græcos unitos in Sicilia degentes quaque injuria auctor ille criminetur.

Panormi, die 23 Octobris, 1857.

(Signed) JOSEPH CRISPI,  
Episcopus Græcorum Albanensium in Sicilia.

(Sealed with the Episcopal Seal.)

It is well known that the Holy See has always been very tender towards those bodies of Catholics who from several circumstances may have some variation in their rites and liturgical usages. It was on this ground no doubt that Gregory IX., and after him Benedict XIV., would have allowed the United Greeks, if they wished it, to chant or recite the Creed in the public service as they had been accustomed to do; that is, without the words *Filioque*. But no Catholic need be told that no such permission extended, or could possibly extend to the Faith itself. Yet this is what Mr. Woodgate has ventured, we trust through misinformation, to assert.

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## NOTICES OF BOOKS.

- I.—*Missale Romanum ex Decreto Sacro Sancti Concilii Tridentini Restitutum, S. Pii V. Pontificis Maximi Jussu editum, Clementis VIII. et Urbani VIII. auctoritate recognitum. Accuratissima Editio, novis Missis ex Indulto Apostolico Concessis Aucta.* Dublinii, Typis Jacobi Duffy. 1857.

In the public Service-books of the Church there can, of course, be but one subject for criticism,—the accuracy and general excellence of the style in which they are executed. Under these respects it is impossible to speak too strongly in commendation of the admirable edition of the *Missale Romanum* just issued by Mr. Duffy. It comes most opportunely to supply a want which has long been felt by the clergy in these countries—of a Missal suited at once for every day use, and for the more solemn ceremonial of the churches. The large number of masses very recently added to the calendar necessitated, even in the most modern editions, the insertion of one, and often two or more, independent supplements; and, as these were necessarily prepared to suit the arrangements of several different editions, the difficulties of reference have in many cases been exceedingly great. In the edition now before us, the excellent general index, comprising *all the new masses without exception*, renders the reference perfectly easy and secure, and makes this, for Ireland, the most practically

complete Missal which can be put into the hands of a missionary priest.

The type is at once bold, striking, distinct, and elegant; and the paper combines exceeding beauty of tint with great strength and durability. When it is added that the price of this excellent Missal in the best and most durable morocco binding, is but one guinea, the reader may perhaps understand what might otherwise seem a strange anomaly in the ecclesiastical book-trade, that a *large order has been sent from France for this new Irish edition of the Roman Missal.*

II.—*Sermons preached on various occasions.* By John Henry Newman, D.D., of the Oratory. London: Burns and Lambert, 1857.

In the preface to this new volume of Sermons, Dr. Newman informs us that when he was preparing for the serious step which he took nearly twelve years ago, of embracing the Catholic religion, it was not his intention ever again to write upon any doctrinal subject. And he adds as his reason for having formed this intention, that it seemed to him incongruous, that one who had so freely taught and published error in a Protestant community, should put himself forward as a dogmatic teacher in the Catholic Church.

There is nothing more admirable than the genuine modesty of a great man. It is a grace which attracts universal respect, at the same time that it inculcates a practical lesson, more instructive and more fruitful than a thousand volumes. In the case of Dr. Newman, this reluctance to discharge again the functions of a dogmatic teacher is, in our humble judgment, an evidence and a proof of the religious tone of a most gifted mind, deeply imbued with a Catholic spirit. For it must be remembered that the author who modestly apologises for presuming, as he thinks, to publish a volume of sermons, is no ordinary man. Whatever may have been the errors and defects of his earlier doctrinal teaching, they were not the errors and faults of a vulgar, pertinacious, heretical mind. They were rather *material* than *formal*; the involuntary result of position, education, and the deep-seated prejudices of birth:—errors, however, which his candid mind, earnestly

searching after truth, were continually correcting and gradually throwing off, by study, by inquiry, and by prayer. His errors were accidental; but the good which he intended to produce, and which, by a particular providence of God, he actually did produce, was positive. It is the teaching of Dr. Newman which, more perhaps than that of any other living man, has been the instrument in the hands of a higher power, to open the English mind to the influences of Catholicity. It is well known that during the last twelve years several hundred converts have been received into the Catholic communion. "The Lord has been uniting to the Church day by day such as should be saved." These have been gathered from all ranks and classes of society—from the rich and poor—the ministers of religion—the professors at the universities—the landed gentry, and the nobles. It is a very simple process which converts the poor to the Catholic religion; but if the great majority of converts from the educated classes were asked to indicate the source which first bent their minds in a Catholic direction, they would, almost without exception, point to the writings and sermons of Dr. Newman. It was he who was employed by Providence to be the first to give them a faint glimmering of those high and holy truths of whose very existence they had hitherto been wholly ignorant. He taught them the value of doctrine, and how it should be prized more than life or fortune. He was the instrument in the hands of God to awaken in many that sense of sin, which was the surest, as well as the necessary, prelude to conversion. Although imperfectly and incorrectly, yet with a good intention, and according to his lights, he spoke to them of penance, and mortification, of fasting and prayer; of a holiness above the common, founded upon the practice of the counsels of perfection. He first disclosed to them the hidden life of the primitive Christians, and narrated to their astonishment the varied fortunes of the early Church. It was from his lips that they learnt to detest the perfidy of Arius, and to admire the stern inflexibility of Athanasius. He led them back to the Church of the Fathers, and, by the very contrast, shewed them the deception and the mockery which Anglicanism was attempting to practice upon their souls. Such teaching, in spite of all its inaccuracies and of all its faults, produced at the time, a marvellous effect in a Catholic direction, the full results of which have not



yet been seen. And the agent in this teaching became naturally and inevitably, the head and leader of the most intellectual and powerful party that ever grew up within the Established Church. His works were perused with the eagerness and avidity natural to unquiet and restless minds. His opinions were adopted and propagated with the sectarian zeal of religious partisanship. The very accents of his voice were copied, and his manner of preaching imitated, even to an absurdity. Under such circumstances, and with such temptations, any ordinary man would probably have yielded to the usual vanity of a party leader, and have attempted, after his conversion, to retain the influence which he certainly possessed before it. But Dr. Newman is no ordinary man. His whole course of conduct as a Catholic is one continued evidence and proof of the single-mindedness of his former life. It shews with what remarkable purity of intention he was seeking not "his own but the things that were of Jesus Christ." And having found what he sought for, he at once lays at the feet of the holy Church, not merely his learning, his ability, his prestige, but even that power of influence over others, which it is a temptation to less elevated minds, to extend, rather than to abdicate. In Dr. Newman the Catholic, we see no traces of the former leader of the once powerful tractarian party. Like some of those great men of olden times, who fled from honours into the solitude of the desert, believing themselves to be unfit for high positions in the Church, when all the world knew them to be most worthy, Dr. Newman hides himself in the comparative obscurity of a provincial town, rather than occupy positions where he would be certain to continue the pre-eminence of his former prestige. He seeks retirement, and only unwillingly, and in obedience to the Holy See, does he allow himself to be withdrawn from it. We hardly know in history a more beautiful instance of genius, learning, and talent, united with the most genuine humility and bashfulness. But while we cannot withhold from such conduct the homage of our admiration, we venture to express a hope that Dr. Newman will not carry this modest feeling too far. The translator of Athanasius, and the author of those wonderful Sermons, which so powerfully stirred up the religious mind of educated England, ought not always to remain silent on the theological controversies of the day. There are certainly

some subjects which seem as if they naturally fell to his province. Who can enter into controversy with latitudinarian writers more ably and more effectually than Dr. Newman? Who can discuss better than he, such questions as the nature, the character and the continuance of miracles—the eternity of future punishments—and all those points which have been lately mooted by such men as Mr. Maurice? One thing is certain, that whatever Dr. Newman may be pleased to write, will be well worth perusing. Whatever he writes will be calm, earnest, accurate, and matured. It will be conceived in a Catholic spirit, and expressed in Catholic language. Nothing coming from his pen will ever be questioned as incorrect, rash, ill-advised, or ill-digested.

With respect to the sermons before us, it is needless to say anything. We cannot, indeed, estimate them as highly as his former volumes; and yet, we have read them with pleasure, especially the three sermons entitled, "Waiting for Christ," "Dispositions for Faith," and "Omnipotence in Bonds." But we are not satisfied with the paper, the printing, and what is technically called the *get up* of the volume. It is hardly treating with respect so eminent an author as Dr. Newman, and it is in every way inferior to the capabilities of Dublin art. Let any one look at the publications of the Irish Archæological Society, and he will be convinced that the Dublin printers can rival in the elegance and the accuracy of their art the best houses in London. And if this be so, why should not the works of the illustrious rector of the Catholic University be printed and "got up" in a style worthy of Ireland, and worthy of its rising university?

III.—*Sir Lancelot. A Legend of the Middle Ages.* By Frederick William Faber, D.D. Second edition. Richardson and Son; London, Dublin, and Derby.

There is a charm in Dr. Faber's pen which seems equally suited for every form of composition. Almost our first acquaintance with him was through his "*Sir Lancelot*." It was one of our early favourites; and it is an unequivocal testimony to its merit, that, notwithstanding the traditional unpopularity of blank verse, especially on a religious topic, it has reached the honours of a second edition.

"Sir Lancelot" was written and published while Dr. Faber was yet an Anglican; but, even then, it breathed so much of the Catholic spirit, that, although many changes have been introduced into the new edition, few of them are of a doctrinal character or a doctrinal tendency. The poem, nevertheless, has decidedly gained both in vigour and in beauty by its new dress. It is now a thoroughly natural and harmonious whole. What the author once spoke in a spirit of æstheticism he now speaks in the spirit of faith. The old "Sir Lancelot" was to the new, what one of the noble windows of our old cathedrals in the dull light of a December day, is to the same window lighted up by the full glory of the evening sun. The same great lines were even then discoverable; but they wanted the depth and brilliancy of colour, the delicacy of tone, the beautiful harmony of expression, which the full light alone can call forth into view.

"Sir Lancelot" will be a welcome companion to many a Christmas hearth.

IV.—*Blackstone's Commentaries*: a new Edition, adapted to the present state of the Law. By R. M. Kerr, L.L.D., Barrister at Law. London: J. Murray, 1857.

It is extremely difficult to *edit* Blackstone: and the difficulty increases at every new attempt. He wrote in an age, in every sense, morally and historically, *dark*: fresh sources of *light*, for instance, the old chronicles and the Saxon laws, have since his time been rendered popular, and our laws and constitution have been radically altered; so that to edit his work in the sense of thoroughly adapting it to the ideas of the present age would be, in fact, to re-write it; so that the "*Commentaries*" would not be Blackstone's but his editor's. And this, indeed, was the course taken by the latest of his editors previously to Mr. Kerr; and Mr. Serjeant Stephen may be said to have written really, *new Commentaries*. The course pursued by the last Editors (of any note) before Stephen, we mean Mr. Justice Coleridge and Professor Christian, was simply to introduce occasional notes marking any alterations in the law. That course was, in their cases, obvious and adequate; there had been comparatively few changes in the law and constitution half a century or even thirty years

ago. The old traditions and prejudices were, at those periods, also little shaken; and even the later of the two Editors alluded to, Coleridge, was not disposed to disturb them. He occasionally, however, brought forward an important truth; as in an instance, happily preserved by Mr. Kerr, where he observed in a note that the office of Lord Lieutenant was first created in the third year of Edward VI., in consequence of the many disturbances in several counties by the followers of *the old religion against the new establishment*. It is to be regretted that Mr. Justice Coleridge did not re-edite Blackstone in that bold spirit which would have led him to correct such passages as those which represent the Papal power in this country as an *encroachment*; the Saxon laws showing Peter's pence to have been paid centuries anterior to the Conquest. Not only in respect to ecclesiastical, but civil and constitutional questions, the greater light now diffused, and the entire alteration not merely of ideas, but, in some instances, even of the meaning of *terms*, render much of Blackstone's work wholly inapplicable at the present day; as for example, where he points out that it is not contrary to liberty to disarm Papists, but that it would be so to disarm Protestants; or, again, where he describes it as part of the ancient constitution, that no one should be taxed but by the consent of representatives chosen by himself; a gross fallacy; for now, at all events, everyone knows not only that the powers of the Commons were in a great degree gradual encroachments, but that the *representative* system as now understood, as identical and co-extensive with the *Elective* system, did not exist in our ancient constitution; the statutes of Edward, to which Blackstone refers, treating as the elective body, not the people generally, but the two privileged bodies, the freeholders and the burgesses: so that the bulk and body of the people were not represented by the Commons house in the sense of direct elective representation, a theory in principle and professedly introduced (and by no means carried out) by the Reform Act. Thus again Blackstone represents the Bill of Rights as destroying "*Benevolencies*," which were put down by the statute of Richard III., and were withdrawn by Cardinal Wolsey under Henry VIII. Thus we repeat, to edite Blackstone in the sense of an entire adaptation to the present age, would be to re-write him. Such was not the scope, we believe, of Mr. Kerr's

edition which is described as "adapted to the present state of the law," which means that it is "adapted" only when it deals with the law as it actually now exists. For Blackstone's Commentaries have a double character; they contain an historical account of the origin and progress of our laws and institutions (a part of the work which is in some measure antiquarian) and they also profess to treat of the law as it existed. That is, it partakes at once of the character of an historical, classic, and legal textbook. Perhaps it is in the former character that the work has, if not most value, at all events most *interest*; for as a legal text book it is too comprehensive to convey any but a *general* notion of our laws. Its main merit is that it embraces the whole scope of our laws, and even in this view it has held its position because it was the only work which attempted to hold it, rather than by reason of its intrinsic merits; for notwithstanding Justice Coleridge's eulogies, although comprehensive, it is neither accurate nor complete. At all events it is not *now* complete, and never was accurate. Its historical fallacies are as gross and monstrous as numerous, and have been well pointed out in a series of elaborate articles in the *Tablet*. With these for the most part Mr. Kerr does not (as we have mentioned) profess to deal, probably for the reason we have adverted to, that it would have involved a rewriting the book. There is indeed one remarkable instance, of interest to our readers, in which Mr. Kerr has differed from an historical view of Blackstone, when he represented, in conformity with the vulgar and current notion, that Henry II. *conquered* Ireland, so that the English crown and legislature had the sovereignty of that country. "The Year Books," says Mr. Kerr, "show that the acts of the parliament of England *could not bind Ireland*, and this was the opinion held by Lord Coke." And he alters the text thus: "Ireland was, until the union in 1801, a *distinct kingdom*, though a dependent kingdom. It was only then entitled the Lordship of Ireland, and the royal style was no other than Lord of Ireland until the thirty-third of Henry VIII., when the title of King was conferred by an act of the Irish legislature." Mr. Kerr should have added an explanation, that the title previously enjoyed:—the only title over Ireland previously enjoyed by English sovereigns since the time of Henry II., was merely the title of *feudal* superiority, which involved no right of direct and actual

sovereignty, any more than in the case of the French feudal Lordship of Normandy, while it was held by the sovereigns of this country. The vulgar idea that Henry II. conquered Ireland is a mere delusion. And the story of Pope Adrian's Bull to authorize such a conquest is an idle calumny. The Bull only authorized the assertion of that feudal supremacy which the dissensions of the Irish princes rendered necessary for the sake of peace, and in order to preserve tranquillity; and though occasional intrigues tended to embroil the Irish and the English, they were so well amalgamated by a common religion, that the Irish of English descent became, as the phrase was, "more Irish than the Irish," and it was not until after the change of religion, and the atrocities of Elizabeth and James and Cromwell, that those traditions of cruelty arose which have been untruly associated with the original "invasion" of "the English," which was no "invasion" at all in the sense of any attempt at conquest, and which led to no such consequences of oppression or subjugation as did the *real* conquest of Ireland under Henry VIII., James I., and Cromwell.

To adapt the work to the present state of the *law* was a task of no small difficulty, for within the last twenty or thirty years the law has been, we might almost say, remodelled, and our constitution radically changed. Mr. Kerr's plan has been to retain the text as much as possible unaltered, but to alter any statement no longer truly descriptive of *existing law*, condensing the notes as much as possible, giving the substance and essence of all that is material in the notes of previous editions corrected by himself down to the present time. The edition is clearly and handsomely printed, as all Mr. Murray's works are, and is certainly carefully done, and the most economical and elegant edition ever published.

We wish that Mr. Kerr had dealt with his author more boldly, and expurgated some of the grosser of his errors. But we are aware of the obvious considerations which probably have deterred him from embarking in a task which might have appeared interminable. Even in the strictly legal portion of the work it must be apparent how little Blackstone's views can be acted on or entitled to respect; for the law as it was when he wrote has been almost remodelled; for example, our criminal code, mainly in consequence of changes introduced after the Revolution,



was anything but in accordance with enlightened, humane, or liberal ideas, and yet he wrote in a spirit of indiscriminate eulogy and ignorant optimism. He had nothing to say, for instance, as to the iniquitous injustice of not allowing prisoners in cases of felony the full benefit of counsel, an injustice which revolted even the mind of Jeffreys, as Mr. Amos observes. That which was the main merit of Blackstone's work, that it travelled over the whole field of our law and constitution, is now no longer true of it; and it is remarkable how little has been done by successive editors to introduce departments which have arisen since his time; as, for instance, the tremendous functions and powers of committees of either House of Parliament, (which have become partially developed of late years); or the powers of justices of the peace as enlarged by modern statutes, and upheld by modern decision;—a large and important question which, especially in connection with the liberty of the subject, and the boasted remedy of *habeas corpus*, Blackstone's text, but little altered by his editor, has left in a very vague and meagre state. In many other instances, however, Mr. Kerr has added to the text, and his additions are useful and judicious, while his corrections are marked by such good sense as to leave nothing to wish, except that they were more frequent. The feeling for Blackstone, however, amounts to a superstition, and he shrank from offending it in the existing state of public opinion.

V.—1. *Une Epingle, Legende* par J. T. de Saint Germain.

2. *Mignon, Legende* par J. T. de Saint Germain. Paris, 1857.

These two French stories have been especially recommended to our notice—the first has already reached its third edition; the second is fully its equal in merit, and no doubt in popularity. They are indications of the growing desire felt in France for works of imagination, which shall be good and pure in morals and taste. This branch of literature in France has hitherto been in direct contradiction to the graver mind of the people; the young have wanted those lighter works of feeling and fancy, which form an almost necessary complement to graver works of “edification,” or they found them in translations from the English. We know of many an excellent French family, in which the “Roman Anglais” is permitted, while their

own are utterly forbidden. The good people of France made a great mistake when they gave up the theatre and the novel to the service of the devil so completely as they did. We have good authority for saying this, since the Pope himself has directed the attempt to supply Italy with a Christian literature for amusement. These charming little works are, we understand, written by a priest; they are entertaining, playful, with a fine sense of humour, and quick observance of character; written too in beautiful French, *sonare*, melodious, eloquent. Were it for the language alone, we should recommend these stories to our readers. Nevertheless, we have one observation to make, and we hope it may not be considered too grave for the text. It is this,—That if the French are to form their novels upon the model of ours—and we do not see how they can well do better—it will not be without a great change of national manners, either before or afterwards. Love, with all the complications of feeling, which Christian reverence and modern civilization have introduced into the relations of the sexes,—this love, we say, will ever be the staple of the modern novel; this love cannot innocently, or even naturally exist except between the young and the unmarried: accordingly both these tales are founded upon love-stories, very discreetly and sweetly conducted; nevertheless, absolute love-stories, in which (oh! tell it not in Paris) the parties fall in love and get married without the intervention of fathers, or mothers, or mutual friends! Nay, in the second, the pretty Mignon, the convent girl, the lovely little pattern of retiring modesty, makes to the hero a proposal of marriage, as distinct—as unhesitating—as—as—we fear we *must* say it—as audacious as anything we have met with in our (no small) experience in novel reading. Dickens' Little Dorrit, or Florence Dombey, do not equal it. Eh! bien. So be it; the French need change in some of these respects, and will know well enough how far to go.

VI.—*The Revolt of Hindustan; or the New World*, by Ernest Jones.  
London: Wilson, 1857.

This is literally a dream of a New World, with America for the Americans, Hindostan for the Hindoos, Africa for the Africans, Europe subdued, and England nowhere. Besides this, kings, priests, rich men, and traders, are

got rid of, together with wild beasts, volcanoes, miasma, and so forth; and the whole world "lives very happily ever afterwards." In justice, however, we are bound to say that the poem contains many vigorous, powerful, and even poetic passages.

VII.—*What is to be done with the Bengal Army?* By Qui Hi.

We have no doubt that this pamphlet is written by a man who knows a good deal about India and its affairs; but we cannot undertake to follow him through so wide a subject, or even allude to charges and accusations, which, as we consider, should never, upon principle, be brought forward by anonymous writers.

VIII.—*The Sepoy Revolt; its Causes and its Consequences.* By Henry Mead. 8vo. London, Murray, 1857.

"The Sepoy Revolt" is one of the most elaborate essays on this terrible episode in Indian history, which has yet appeared in England. It is a careful and well informed compilation, and evidently the work of a man who has long known and deeply meditated the important subject on which he writes. There is perhaps in Mr. Mead's tone, however, something that betrays the partisan; and his book we fear will lose, by the appearance of partisanship, some of the weight which it would otherwise possess in such a crisis.

Like almost every non-official writer on Indian affairs, Mr. Mead is loud in his condemnation of the system of government, in almost all its details, but especially the land system. His account of the origin of the revolt, and of the proceedings adopted in the several localities where it first appeared, is exceedingly interesting; and this part of the book contains much valuable material for the elucidation of a question still involved in much mystery.

Into the religious question he enters at some length; but we cannot say that we have derived much satisfactory information from this portion of his book. As to the question which has recently created so much interest in our body, the relations of the Catholic Church in India to the Indian government, he is entirely silent; but it is worth while to notice as affording a curious commentary on the Governor of Madras, Lord Harris's disgraceful

Order in Council, cited by the Archbishop of Dublin, in his late admirable 'Letter to Lord St. Leonards, (p. 31) that Mr. Mead, while he describes this nobleman, as in common life, "polished and benevolent," says, "he rather loved mankind than otherwise; but if he had a dislike, it was to Roman Catholics, and people who made a noise about things."

IX.—*The Papacy or Catholicity the Counterpoise to Tyranny.* By the Rev. A. J. Christie, 'S.J., M.A., late Fellow of Oriel College, Oxford. Richardson and Son; London, Dublin, and Derby.

This is the first lecture of two which were to be delivered on the same subject, when, or where, we cannot tell, since there is not even the date of publication upon the pamphlet. But upon the value of the lectures there can be no two opinions. Perhaps no one thing has kept more persons from inquiring into the truth of Catholicism than the floating—stock-in-trade—notion that Popery is allied to arbitrary power. Wisely, therefore, has Mr. Christie addressed himself to this subject. With equal dexterity and truth he has applied himself to rectifying the popular idea of tyranny, and to showing how the spirit of tyranny may infuse itself into any form of government, however liberal, while the most despotic rule may be kept free from it, by a different spirit in legislation; and how that different spirit, that Christian and unselfish principle of conduct, has ever found its best exponent in the Papacy.

We have given the obvious purpose of the lecture; we cannot do justice to the happy manner in which argument and illustration are made to bear upon each other in support of it. The climax of both has been found in the late revolution in Rome. We should be glad to see the second lecture, and to know that both had been widely disseminated, by the voice of the venerable lecturer in the first place, and afterwards by the press.

X.—*The Purgatory of Prisoners, or an intermediate Stage between the Prison and the Public.* By the Rev. Orby Shipley, M.A. London: Masters, 1857.

We have read this pamphlet with great satisfaction, and strongly recommend it to all who take an interest in the reformation of sinners. In England, great uncertainty

prevails concerning the treatment of convicts. Betwixt our desire to reform them, and a lurking opinion that they are never really reformed, betwixt our horror of the men and of their crimes, and our horror of the punishments to which they are submitted, public opinion appears to be in a most distracted state. In Ireland, it would really seem, that they have solved the difficulty; nothing can be more wise, or kind, or well considered, than the system of management detailed in Mr. Shipley's pamphlet. To the best of our judgment, there seems no flaw in the plan, or in the arguments by which it is supported: and the result of the short trial is highly satisfactory. It is but justice, however, that we should advert to some of the advantages arising from working in a Catholic country, and with Catholic materials. The Author says:

"The regulations on this point (the supervision of the released culprit,) are most severe; but not less severe, than wise, just, and far-seeing. The bane of an English ticket-of-license man, was the glance of the policeman. The support and patronage of the constabulary, prove the safety of the Irish convict. The difference which exists upon opposite sides of the Channel, is most striking. At home the utmost care seems to be taken to conceal the past of the culprit's life. In Ireland, the past, both recent and remote, is not only told, it is almost paraded. In the one, the employer conceals all he can hide; in the other, he tells all he can remember. Here, the ticket-of-leave ensures discharge, contempt, suspicion. There, it becomes a passport to employment, favour, confidence. Here, the ticket-of-leave is what the convict is least anxious to hold. There, it is what the really reformed prisoner is most desirous to possess. Hence failure of the system in one instance. Hence the success that has attended it—success far more substantial and exceeding the most sanguine hope of its supporters in the other."  
—p. 103.

Does this most remarkable fact arise from a greater confidence placed by society in the genuineness of the prisoner's reformation? Partly so perhaps,—but we think it chiefly arises from the more merciful disposition of a Catholic community,—their greater power to forgive, and to hope the best. It must be remembered too, that the majority of the prisoners are probably Catholics. Mr. Shipley seems dissatisfied with the degree of the religious ministrations afforded to the prisoners, but he admits that—

"Upon Sundays the *Roman Chaplain* attends his flock early in the morning, the Anglican Chaplain performs Divine Service half an hour after mid-day, and the Presbyterian Minister officiates in the afternoon.....The Roman Chaplain generally calls on Friday and Saturday to hear confessions; the Anglican doubtless makes his visits on some other days, though it is not reported of him, that he follows his fellow-chaplain's godly discipline, and to men so situated, most seasonable service."—p. 83.

However that may be, we all know that a good deal may be done on those Fridays and Saturdays. One resource for suffering humanity is available for the poor female prisoners. One ministration of angelic charity, whose efficacy never has been doubted, and to which we allude now, not as to an exceptional case, but in the spirit of thankfulness and reverence.

"Yet it may be permitted to add, that if there be an institution which he (the author) does most religiously, and which the English Church may most justly, envy her Roman Sister, it is in the possession of the Convent of S. Vincent, at Golden Bridge. The air of sanctity which pervades it, the sound basis of religion which supports it, the quiet order and discipline which govern it, the holy cheerfulness which gladdens it, the rich Christian spirit which penetrates it, and the very sound results which flow from it, make one hope, and trust, and pray, that through the practical usefulness of the system, of which it is a part, and notwithstanding, and in opposition to popular prejudices, clamour, and irreligion, our own beloved Church may yet see, re-established within her bosom, bands of faithful, fearless, heroic, and devoted women—maids and matrons—who are content to serve their Blessed Lord in ministering to the erring ones of His flock."—p. 89.

XI.—*The Two Roads of Life.* Tales designed to show that "Honesty is the best Policy." By Christopher von Schmid, Canon of Augsburg. Post 8vo. Dublin: Duffy. 1858.

We have long desired to see a popular edition of the admirable tales of the Canon of Augsburg. This beautiful volume, which, although it forms in itself a complete work, is the first of a series, fully realizes all the requirements of such an edition. It is proposed in this series to arrange the tales according to the order of the moral subjects which they illustrate, each collection forming in itself a complete and independent volume. The idea is an excellent one, and the collection of tales in the present volume is a most promising sample of the entire.



The original edition has long been out of print; but we can safely promise to its successor, which is at once much cheaper and more convenient in form, even a wider and more lasting circulation.

XII.—*Devout Exercises*; comprising Meditations and Visits to the Sanctuaries of the Blessed Virgin, for every day in the Month of May. By the Rev. John Wyse. London, Dublin, and Derby, Richardson and Son, 1858.

Mr. Wyse's pretty volume is substantially a new 'Month of Mary.' But it has this new feature, that in addition to the practical meditations on the great truths of religion, for each day, which form the best characteristic of its predecessors, it also contains for each day a visit to some celebrated sanctuary of the Blessed Virgin, at which the client of Mary may in spirit offer his petition. This is a pleasing idea, and one which for many may prove a useful and suggestive aid to devotion.

XIII.—*Catalogue of the Antiquities of Stone, Earthen, and Vegetable Materials, in the Museum of the Royal Irish Academy.* By W. A. Wilde, M.R. I. A. Part I. 8vo. Dublin: 1857.

This Catalogue may be regarded as in some sense, one of the fruits of the Dublin meeting of the British Association, and by no means the least permanently interesting. A few months before the meeting, it was suggested that, for the convenience of the distinguished visitors whom the meeting might be expected to attract, and in justice to the Collection itself, it would be advisable to hasten the preparation of the Catalogue of the antiquities and other objects of interest with which the Council of the Academy had been charged. The task of preparing such a Catalogue was entrusted to Dr. Wilde, who generously tendered his gratuitous services to the Council, and the beautiful volume now before us is the first result.

Not content with the mere technical discharge of his commission, Dr. Wilde, with his characteristic energy, has made what was meant to be a mere catalogue, a complete handbook of that large and interesting department of Irish antiquities which is described in the title. Nor is it a handbook in the popular sense of the word, intended chiefly to enable a visitor to pass a pleasant hour in the examination of the collection, but a careful and laborious

compilation, the work of a master in the study, addressing himself to earnest and energetic students like himself. The preparation of such a volume within so brief a period, and amidst the engrossing occupations of the varied and extensive practice which Dr. Wilde enjoys in his profession, is an intellectual literary feat, not unworthy of the olden heroes of literature.

The admirable illustrations which accompany the text render it a book for private study quite as much as a manual for visitors of the museum; and in earnestly recommending it to every friend of Irish antiquarian studies, we shall only further suggest that on the success of the present publication it depends whether the Academy will issue the Second Part, which will in many respects be even more interesting than the First.

XIV.—*The History, Architecture, and Antiquities of the Cathedral Church of St. Canice, Kilkenny.* By the Rev. James Graves, A. B., and John Augustus Pim, 4to. Dublin: Hodges, Smith and Co. 1857.

We have not met for many years so valuable a contribution to the study of local antiquities, as the joint work of Messrs. Graves and Pim, on the Cathedral of St. Canice. The history of Kilkenny, indeed, for a long and most interesting period, may almost be said to involve the entire history of the Pale; and it need hardly be added that, in the hands of a judicious antiquarian, animated with the true spirit of his craft, the history of the city easily groups itself around that of its ancient cathedral.

The learned authors of the work before us have not neglected a single source of information or overlooked a single topic of interest; and this result of their united labours is not unworthy a place among the very best of the local histories of Ireland or England.

The imprint of Messrs. Hodges and Smith is in itself a guarantee for the beauty and excellence of the typography and illustrations. "*St. Canice's Cathedral*" is not the least among their gifts to the antiquarian literature of Ireland.

XV.—*The Philosophy of Theism; an Inquiry into the Dependence of Theism on Metaphysics, and the only Possible Way of Arriving at a proof of the Existence of God.* London: Ward and Co., 1857.

We can do no more than call the attention of our

readers to the publication of a work upon this important subject which has recently come to our hands, so that we cannot attempt to examine into the manner of treating it; and upon such a subject a superficial opinion would be valueless.

XVI.—*Churches, Sects, and Religious Parties ; or some Motives for my Conversion to the Catholic Church.* By a M.A., formerly a Clergyman of the Established Church. London : Dolman, 1858.

Many conversions have been grounded upon the clearer insight vouchsafed into the excellency and perfection of the Catholic Church. In the present writer this insight was quickened, and he was guided to it by a more than usual acquaintance with the short-comings, gross faults, and inconsistencies of Protestants of every denomination. His profession placed him as it were behind the scenes, and he has evidently been a restless inquirer. If his scholarship be considerable, he is no less thoroughly a man of the world; and his book is as much a record of his own experience as of his knowledge. All sects and parties pass under review, and as might be expected, sins against truth, and sins against propriety or taste, general observations, and what may be taxed as exceptional instances, historical facts, and modern incidental gossip, are mixed together in his book. The result is a much less regular and unattackable book than many upon which it has been our duty to comment; but nevertheless a very striking bird's-eye view of the state of the religious world beyond the fold of the Church, of the origin, and the inevitable tendencies of its parties will be found in it. And what is of even more importance, their effect upon the great masses of the unthinking unbelieving populace is strikingly put forth.

XVII.—*Why Non-Communicants should remain during the "Missa Fidelium."* London : William Painter, 1857.

We were so completely mystified by this title, and an accompanying citation from a Catholic writer on the Celebration of the Mass, that we had read through some pages before we clearly made out that the question was about the Church of England, and their "Lord's Supper," and whether people who did not partake of it, were to remain in the Church, or be turned out of it! If any of our readers are interested in this important question, we have no doubt they may here satisfy their curiosity.

- XVIII.—1. *All for Jesus*, Nos. 1 to 6.  
 2. *Annals of the Holy Childhood*, No. 17.  
 3. *Prayers for Mass for the use of Schools*.  
 4. *A Christian's Rule of Life*. By the Rev. Dr. Rinaldini.  
 5. *Novena in honour of St. Teresa*.  
 6. *A Scheme of Intercessory Prayer*. By the Very Rev. Dr. Faber.  
 7. *Book of the Confraternity of the Holy Family*.  
 8. *What Every Christian must Know*.  
 9. *The Beads or Crown of Our Lord*.  
 10. *The Rosary of Our Lord*. By Dr. Faber,  
 11. *Thanksgiving after Communion*. (From "All for Jesus.")  
 12. *Little Office of the Most Holy Heart of Mary*.  
 13. *Hymns for the People*. By Dr. Faber.  
 14. *The First Catechism for Children*. With the permission of the Bishop of Birmingham.  
 Various religious Prints with Hymns or Prayers.  
 Richardson and Son, London, Derby, and Dublin.

These are all praiseworthy publications, and are put forth at prices which place them within the reach of the poorest amongst us. They are, for the most part, sufficiently explained by their titles; and episcopal permission is generally expressed on the cover. A popular edition of "All for Jesus," in numbers, must be acceptable to the Catholic public; and the other publications of the gifted Author need no recommendation from us, being for the most part reprints, or cheaper editions of works already known to the Catholic Public. The "Rosary of Our Lord," which was first published by Dr. Faber, many years before he became a Catholic, is brought out in a better style than is sometimes displayed in our cheap Catholic publications. The "First Catechism for Children" seems an admirable compilation, and it will, no doubt, be found very useful in our schools. "What every Christian must Know," is a brief epitome of Christian doctrine and practice, the former editions of which received considerable notice from our Protestant writers. It is published with the approbation of the Archbishop of Dublin. "The Beads or Crown of Our Lord" is an indulgenced devotion; and the "Scheme of Intercessory Prayer" will be found a useful guide by devout Catholics; though we fail to recognise the names of our own English Saints.

XIX.—*Edith Mortimer, or the Trials of Life.* By Mrs. Parsons. London: Dolman. 1857.

The style of this little work is bright and lively, the characters without being anything very original, have a great air of truth about them. An appreciation of the beautiful both in nature and art, and a general tone of good society pervade the story, and make it decidedly agreeable. We wish it had been amplified, and worked up as it might very well have been, into a good and entertaining novel. We have perhaps no right to object to the religious lessons the authoress proposes to inculcate—they are all very well, as far as they go; but somewhat self-evident, indistinct, and flowery. They no more deserve the sober merit of religious teaching, than the rose-water experiences of the young heroine to be designated the “Trials of Life.” Such being the case, we wish all dogmatizing had been thrown aside, and that the authoress had given free scope to the nice observation and pleasant vein of fancy which should give her a high place in this branch of literature. We cannot conclude our notice without one extract, both as a specimen of style, and because we have been so particularly pleased with the description of an old Catholic family.—p. 72.

“There are in this country, a few persons, whose lives form no part of its written history, whose names are not known to fame, who have had no poet, but who live—live, and shall live, and have lived, from generation to generation, where the just are had in everlasting remembrance.

“It is not that these persons have not formed a part, and a very important part of this country’s history—but it is that they have acted out their lives nobly, where good deeds are felt, but not recorded. That they have been called to unseen lives, to sufferings, anxiety, losses, successes, and triumphs, all endured and worked out, where the hate of an evil generation did not fall; or fell, with its seeking eye and persecuting hand, only after long intervals; not knowing how its mighty will was braved and put aside, and God’s work done in the face of the world that would not have Him. Of such persons were the Thetfords, of Thetford Royals. From remote times they had lived on those ancestral acres; and under their care the poor had lived in a primitive state of peace and protection; all treading the old paths, and holding to the ancient faith. They had known many of the ups and downs of life. But not for an hour had one of that truly great name been treacherous to the trust which Almighty God had confided to them. Time had reduced one to poverty, but gold had no charm for him, and poverty no terror; for

the true faith was everything to the house of Thetford. No history told of the hero who worked with his own hands, where he had long commanded service.

"Another had come out of prison, cramped and lamed for life, of fever caught there; the deformed and the feeble were as strong in spirit as ever, and all the hearts on the estate bowed down before the master who had suffered for the faith, and thanked God and our Lady for him.

"Still, religion went on at Thetford Royals. Still, the God of heaven and earth inhabited there. What was it that they would not have done for Him, and His honour?

"Still, they parted from their children, under pretence and in disguise, that they might get abroad that education and Catholic training which could not be got in England. Even women's hearts were still, and mothers never wept. They trusted their best to God. Never in high places—never seeking power—never greedy of rule—the Thetfords lived quietly, doing their best, in a life of silent offering and acceptance before God. But if a sound came, of favour to the Church in return for some renunciation; proposals for veiling the glory of the Immaculate Mother of God; plans for fettering the free action of the pope in these kingdoms; or of anything that might enslave the priesthood, or deprive their work of unction; then some Thetford was sure to speak. They would have no bargains. Truth was truth, and should remain whole, and perfect, and one. They would not ask for favour, but justice. They had nothing to yield. More than once, they had stepped forward and stripped temptation of her mask. More than once, others had spoken strongly, bravely, eloquently; because a Thetford had been simple-minded and sincere. And so they had walked on their firm and quiet way, recording angels writing the history of Thetford Royals, and writing it in the book of life."

XX.—*The Catholic Almanack*, or Guide to the Service of the Church, for the Year of Grace, 1858. Richardson and Son: London, Dublin, and Derby.

We believe this useful popular Almanack was first put forth by its enterprising publishers at the period of the "Derby reprints," since which time it has continued its useful career, and multiplied its claims to favourable notice. There are three editions, the last of which is bound in pocket-book form, and both it and the next are interleaved and illustrated; the engravings (which are of an ecclesiastical character, and recall the name of Augustus Pugin) referring to the principal festivals of the Christian year. Besides the Calendar, with the holy-days and seasons of the Church, and various civil and ecclesiastical



tical notices, we have "Hints on Church Decoration," the Cardinal Vicar's prohibition of operatic music in churches, a little poem relating an anecdote of Pius IX., (equal in interest to anything yet published,) and a variety of useful notices and information for the year upon which we are entering. Attention is directed to the frontispiece of Mr. Maguire's work, in which His Holiness is represented in the round chasuble which is worn by our own bishops. The cheapest edition of the Almanack is without engravings, and is published at a very low price. It is put forth with the permission of the Cardinal Archbishop, the reverse side of whose medal is represented on the cover.

XXI.—*Living Celebrities*; Photographic Portraits, by Maull and Polyblank, 55, Gracechurch Street, and 187A Piccadilly.

Lord Brougham succeeds the Cardinal Archbishop in this admirable series, and the portrait is not inferior to that of His Eminence; a remark which is equally applicable to the likeness of Lord Campbell in the tenth number. No Protestant prelate has yet appeared, though we believe the artists are not Catholics. Some slight additions have been made to Mr. Gawthorn's biographical notice of the Cardinal, which accompanies the portrait, and which was published in our last number, by the compiler of Hardwicke's *Shilling Peerage, &c.*, to whom we believe the series is otherwise indebted.

XXII.—*Gaieties and Gravities for Holy Days and Holidays*. By Charles Hancock. London: Saunders and Otley, 1857.

"Part II. Nursery Rhymes,  
Or odds and ends for inns and outs;  
For babie boys and little louts;  
With bridal days for Pa'as and Ma'as,  
And saws and says for all ba'bas."

Such is a specimen of Mr. Hancock's contributions to the taste and literature of his generation; and we cannot but think that few persons who find the above on the very first page will make any further attempt upon the "gaieties," or be tempted to look into the "gravities;" and indeed, we regret to say that we cannot encourage them to do so, for they will find a great deal of nonsense, some filth, (example, p. 197,) some blasphemy, (example, p. 211, &c.) and nothing to commend except excellent paper and topography wasted on worthless rubbish, with

which such a firm as "Saunders and Otley" ought not to be associated.

XXIII.—*Meditations on the Holy Childhood of our Blessed Lord.*

Richardson and Son: London, Dublin, and Derby.

This is a beautiful translation from the French, suitable for the Christmas season, and dedicated to the Cardinal Archbishop of Westminster, who (in the dedication) is said to emulate his great patron in his love of little children—an especial characteristic of Christian holiness. The *Meditations* are simple, brief, and earnest, and recall those of St. Alphonsus and St. Francis of Sales. They are especially suitable for the present holy season of Christmas, when all Catholics wish to realize as vividly as possible the voluntary humility, poverty, and suffering of the Infant of Bethlehem.

XXIV.—*Essays on Natural History.* Third Series. By Charles Waterton, Esq. London: Longman, Brown and Co. 1857.

Most of our readers will welcome with pleasure another series of Mr. Waterton's *Essays*. Whatever comes from his pen is entertaining. It is of the lightest of reading,—for the author does not profess science or method, nor does he much restrain himself within the rules of regular composition; but the information he does give is genuine, unmistakeably the result of observation, therefore true. The fixity of his principles is amusingly and discursively illustrated; the flow of his chit chat is pleasant and free, and it affords such agreeable glimpses into the wild scenes in which Mr. Waterton has been, as it were, naturalized, that we are inclined to follow him through all his wanderings, and to acquiesce unhesitatingly in all his theories, whether they concern monkeys, snakes or cannibals, foxes, humming-birds, or pigeons; we protest rather about the dogs; Mr. Waterton is hard upon them; we must think that he does not quite do justice to their merits.

XXV.—*The Aspirations of Nature.* By J. T. Hecker. New York: James B. Kurker, 1857.

This work is one of great importance; it is difficult to overestimate the effect it might have if it attained in this country to a wide circulation. For being addressed to the "multitudes of men brought up without any definite

religious belief," its arguments would reach those still greater multitudes who have cast aside the teaching of their childhood, and without courage to defy public opinion by professing Atheism, are in fact unbelievers, or retain only some cold, vague theories concerning the existence of a Supreme Being. These men concern themselves little with our existing religious controversies, they have no spiritual eye, no faculty of faith, wherewith to discern that internal evidence on which we rely so much. If they are to recognize "the City set upon a hill," they must be led to it from a long way off, and out of the darkness. If it is hard to prove a negative, how hard to argue with universal disbelief! This task we consider to have been admirably accomplished by our author. He takes his stand in the first place upon the nature of man, his irritating sense of ignorance concerning his own being and destiny, his restless inquiry after truth, his power to understand, his moral right to possess it. A masterly condensation of ancient and modern systems of philosophy shows their inadequacy to answer the questions proposed to them, and brings man back to the universality, the authority, the reasonableness of the belief that spiritual truths must be taught from above. This argument tends irresistibly to the introduction of the Christian religion; it is considered in its two grand divisions. The religion of the Reformation—the civilizer, the enlightener of the 19th century, the emancipator of the human intellect, is first introduced with an all hail! and its pretensions tested by the one consideration of its fitness to ennoble, to control, to suit the dignity, and satisfy the requirements of the nature of man. No nice distinctions, no debateable points are here introduced; its failure is shown up, in the broad bold manner which might best convince the class of readers we have supposed. Finally, the Catholic Church is tried by the same tests, and accepted upon arguments simply and strictly logical. We have, of course, attempted only the merest outline of this work, which, however, is not a long one; to the English reader it is perhaps rendered more impressive from its being written by an American. Our controversies here have become embroiled by party spirit, and narrowed within the bounds of our own nationality. We need to look abroad to correct our impressions, and to see the

effect of different systems upon a wider sphere, and under other circumstances.

XXVI.—*Margaret Danvers*, or the Bayadere, by the author of Mount St. Lawrence. London: Dolman, 1857.

We confess to having found some amusement in reading this story. The author is not an imitator of any body in particular, and that is a great merit. He hits off with discrimination and some talent, *not* the varieties of human nature, but the peculiarities of manners. The details are very minute, often tiresome and purposeless, but at times amusing, and thus by the help of a light and lively style, the reader is beguiled on through a story of outrageous improbability, and not in the best taste. With this slight notice we should have dismissed a tale neither better nor worse than many of its class, but it sets up a pretension to lecture upon religion, against which we must protest. The hero of the story is an indifferent Catholic, the heroine a very "strong-minded" young lady of no religion at all; she has to be converted, and he to be reformed, and after finding out that every body is somebody else, they are married. Now a novel may be a very good novel without the formal introduction of religion—all the better, we think, upon the principle of every thing in its proper place; and this story in particular did not require this religious episode, and is not suited to it. The society described is a very worldly one, and amidst money "difficulties" and match-making intrigues of all descriptions, the mysteries of our holy religion are dragged in *mal-à-propos*, and discussed in a flimsy manner, which we consider absurd, irreverent, and mischievous.

XXVII.—*The Life of St. Francis de Sales*, Bishop and Prince of Geneva. By Robert Ornsby, M. A. London: Burns and Lambert, 1856.

A short, practical, and well-written life of this great and favourite saint, which will be universally acceptable.

XXVIII.—*The Masque of Mary*, and other Poems. By Edward Caswall, of the Oratory, Birmingham, author of the "*Lyra Catholica*," &c. London: Burns and Lambert, 1857.

We are anxious to do justice to these poems, and to make them generally known, for we have met with none lately which appear to us so worthy of their subject, or so suitable to it.

The Masque of Mary is a poem of the first class. It represents the Child Mary on her seventh birthday in the courts of the temple.

"Who all night long upon this marble pavement,  
Like a pale lily bent, was pouring forth  
Her most ambrosial sighs into the ear  
Of her eternal Father,—now at length  
Has yielded up her eyelids to repose."

The angels have guarded her through the night, until, as they report—

"Of a sudden leapt  
The tempest down, and summon'd us away  
To the defence of this all-sacred head,  
From the satanic crew that strove so hard  
To sweep into the bottomless abyss  
Our Temple and its Treasure."

These now propose to celebrate the day of Mary's birth by representing before her

"By aid of a procession,  
The glories of this heaven-created Child;  
Personifying the early Patriarchs,  
As we remember each, in face and garb,  
While journeying on his earthly pilgrimage,  
Now in the groves of Paradise at rest."

The Guardian Angel of Rome is fitly selected to come with his bright train and salute this Queen who shall hereafter reign so especially in his principality. Gorgeous, yet simple are the mutual salutations of the angels and their common reverence for the sleeping child before whose closed eyes the mystic drama is unfolded:

"Finding an easy entrance,  
Beneath the semblance of a mystic dream  
In that exact proportion best befitting  
Her present grace and knowledge."

In the Masque, the Angels personify Adam and Eve as they appear in their first desolation, when the Father of Mankind has lost himself, seeking food in the desert; and Eve alone, suffering from his absence, suffering as the Outcast of Nature:

"To the wrath exposed  
Of all creation by our Fall aggrieved;  
Nor less of furious demons raging round,  
Unchained by our own act."

Suffering from the weakness of her own nature,—

then first tasting the wretchedness of its mortality, bewails her misery with peculiar pathos. The Angel Gabriel cheers and strengthens her, and leads her with Adam, to the feet of the mystic prophesied Virgin, by whom they are consoled, and to whom they offer their homage. After them, the patriarchs and prophets, priests and virgins, salute her with their hymns of praise. That praise is richly varied and full of poetry, it is exultant, ecstatic, but chaste, solemn, refined,—taking no liberties with the grandeur of the subject: we scarcely know how, within the limits of our space, to select an extract where we consider all so beautiful; perhaps the following lines form a fair specimen:

“Hail, then, O Israel’s joy! Hail, Orient Gate:  
Through which the everlasting Increate,—  
The Infinite Almighty King of kings,—  
Shall enter on the stage of finite things.  
Hail, stair of light!  
That burst on Jacob’s sight,  
Spangling the gloomy vault of ebon night!  
What time an exile flying,  
He rested, on his stony pillow lying:  
Stair of crystalline glass:  
Along whose sacred flights, that tier by tier  
Scale heaven’s ethereal sphere,  
Angels ascending and descending pass:—  
To whose firm base the earth a floor supplies,  
Whose azure heights are lost beyond the skies:—  
Hail thou whose faith to Israel shall restore  
More than the glory that was her’s of yore;  
From whose most sacred and imperial womb  
The Great High Priest in majesty shall come,  
Chosen for ever, as the Psalmist spake,  
After the order of Melchisedech.”

The Masque is not a long poem, the remainder of the volume is composed of short original poems, and translations from the Church hymns. These vary in poetic beauty, but all are excellent from purity of style, and holiness of thought.

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Note to Notice of Flanagan’s History No. 85.—By an oversight the late Bishop Walsh is referred to in this Notice as Archbishop of Westminster. He was in fact at his death Bishop of Cambysopolis, and V. A. London District.—Ed. D. R.



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